

Washington, Tuesday, February 9, 1960

Title 3—THE PRESIDENT

Executive Order 10859

REVOCATION OF EXECUTIVE OR-DER NO. 10758,1 ESTABLISHING A CAREER EXECUTIVE PROGRAM WITHIN THE CIVIL SERVICE SYS-TEM, AND EXECUTIVE ORDER NO. 10777,2 AMENDING EXECU-TIVE ORDER NO. 10758

By virtue of the authority vested in me by the laws of the United States, including section 1753 of the Revised Statutes (5 U.S.C. 631) and the Civil Service Act of January 16, 1883 (22 Stat. 403), and as President of the United States, Executive Order No. 10758 of March 4, 1958, establishing a career executive program within the civil-service system, and Executive Order No. 10777 of August 6, 1958, amending Executive Order No. 10758 to increase the membership of the Career Executive Board, are hereby revoked.

DWIGHT D. EISENHOWER

THE WHITE HOUSE, February 5, 1960.

[F.R. Doc. 60-1301; Filed; Feb. 5, 1960; 4:14 p.m.]

Executive Order 10860

COAT OF ARMS, SEAL, AND FLAG OF THE PRESIDENT OF THE UNITED **STATES**

By virtue of the authority vested in me as President of the United States, it is hereby ordered as follows:

SECTION 1. The Coat of Arms of the President of the United States shall be of the following design:

SHIELD: Paleways of thirteen pieces argent and gules, a chief azure; upon the breast of an American eagle displayed holding in his dexter talon an olive branch and in his sinister a bundle of thirteen arrows all proper, and in hi beak a white scroll inscribed "E PLURI BUS UNUM" sable.

CREST: Behind and above the eagl a radiating glory or, on which appear an arc of thirteen cloud puffs proper and a constellation of thirteen mullet argent.

The whole surrounded by white star arranged in the form of an annulet wit one point of each star outward on th imaginary radiating center lines, th number of stars conforming to the num ber of stars in the union of the Flag o the United States as established by chap ter 1 of title 4 of the United State

SEC. 2. The Seal of the President of the United States shall consist of th Coat of Arms' encircled by the word "Seal of the President of the Unite States.'

SEC. 3. The Color and Flag of th President of the United States shall con sist of a dark blue rectangular back ground of sizes and proportions to con form to military and naval custom, o which shall appear the Coat of Arm of the President in proper colors. Th proportions of the elements of the Coa of Arms shall be in direct relation to th hoist, and the fly shall vary accordin to the customs of the military and nava services.

SEC. 4. The Coat of Arms, Seal, and Color and Flag shall be as describe herein and as sea forth in the illustra tions and specifications which accom pany this order and which are hereb made a part thereof. These design shall be used to represent the Presiden of the United States exclusively.

SEC. 5. This order shall become ef fective on July 4, 1960, and Executiv Order No. 10823 of May 26, 1959, sha be superseded as of that date.

DWIGHT D. EISENHOWER

THE WHITE HOUSE, February 5, 1960. (Continued on p. 1091)

CONTENTS

THE PRESIDENT	
Executive Orders	Page
	•
	1089
	1000
civil service system, and Execu-	
tive Order No. 10777, amending	
Executive Order No. 10758	1089
EXECUTIVE AGENCIES	
Agricultural Marketina Service	
	1132
Weshington and Oregon	1127
	1141
tion; Forest Service.	
Alien Property Office	
Notices:	
	•
turn vested property	1149
Atomic Energy Commission	
Notices:	
Ohio State University: construc-	
tion permit	1140
Civil Aeronautics Board	
	1139
	1140
of changes in financial	
interests in imalicial	1150
	1100
repruary 1960 monthly sales	1140
nst; notice to buyers	1140
	Executive Orders Coat of Arms, Seal, and Flag of the President of the United States

¹3 CFR, 1958 Supp., p. 53; 23 F.R. 1589.

²3 CFR, 1958 Supp., p. 66; 23 F.R. 6097.



REpublic 7-7500

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Office of the Federal Register, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Govern-ment Printing Office, Washington 25, D.C.

The FEDERAL REGISTER will be furnished by The Federal Register will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15 cents) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D.C.

The regulatory material appearing herein

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended August 5, 1953. The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of books and pocket supplements vary.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER, or the CODE OF FEDERAL REGULATIONS.

CFR SUPPLEMENTS

(As of January 1, 1960)

The following books are now available:

Title 36 (Revised) (\$3.00)

Title 46, Parts 146-149 (Revised) (\$6.00)

Order from Superintendent of Documents, Government Printing Office, Washington 25, D.C.

CONTENTS—Continued

Commodity Credit Corpora-	Page
tion—Continued	
Rules and regulations:	
Basic county support rates; 1959	
crop loan and purchase	
agreement program:	
Grain sorghums	1093
Rye	1093
Wheat	1092
Federal Aviation Agency	
Proposed rule making:	
Restricted areas; extension of	
time for comments	1136
Rules and regulations:	
Airworthiness directives; Lock-	
heed 188 aircraft	1093
Coded jet route; modification	1094
Control zone; modification	1093
Reporting points; revocation (2	
documents)	1094

CONTENTS—Continued	1	CONTENTS—Continued	
Federal Communications Commission	Page	Land Management Bureau— Continued	Page
Notices: Hearings, etc.:		Rules and regulations:	
ABC Cab Co	1139	Revested Oregon and California Railroad and reconveyed Coos	
American Telephone and Telegraph Co	1137	Bay Wagon Road grant lands in Oregon; payment to the	
Bible Institute of Los Angeles,	210.	U.S. for road use	1092
Inc. (KBBI), and Benjamin C. Brown	1137	Post Office Department	
Coast Ventura Co. (KVEN-		Rules and regulations: International mail; miscellane-	
FM)Eastern States Broadcasting	1137	ous amendments to chapter_	1095
Corp. et al Everett, Lonnie T	1137	Public Health Service Notices:	
Greene, John Clemon, Jr	1138 1138	Licensed biological products	1146
Lanphier, Charles J., et al	1138	Securities and Exchange Com-	
Morrow Radio Manufacturing Co. and Ray E. Morrow	1138	mission National	
Olsen, Adoph	1139	Notices: Hearings, etc.:	
Tiliakos, Nick Tringali, Sam P	1139 1139	Aetna Oil Dev. Co., Inc American Reserve Life Insur-	1147
Tri State Broadcasting Co.	1120	ance Co	1147
Federal Maritime Board	1139	Dominick & Dominick Metropolitan Edison Co. and	1148
Notices:		General Public Utilities	
Member lines of the Trans-At- lantic Passenger Steamship		Corp Public Service Co. of Okla-	1149
Conference; agreement filed		homa	1149
for approval Moore-McCormack Lines, Inc.;	1150	Treasury Department	
application	1150	Notices: Northeastern Insurance Co. of	
Federal Power Commission		Hartford; surety company ac-	1140
Notices: Hearings, etc.:		ceptable on Federal bond Veterans Administration	1140
Arizona Public Service Co	1142	Rules and regulations:	
Cumberland & Allegheny Gas	1142	U.S. Government Life In- surance; National Service	
Peoples Gulf Coast Natural		Life Insurance; miscellaneous	
Gas Pipeline Co. et al Shell Oil Co. et al	1143 1144	amendments	1126
Sinclair Oil & Gas Co	1144	CODIFICATION GUIDE	
Sunray Mid-Continent Oil	1146	A numerical list of the parts of the	Code
Tuolumne County Water Dis- trict No. 2	1144	of Federal Regulations affected by document published in this issue. Proposed rule	
Woodley Petroleum Co	1144 1145	opposed to final actions, are identific such.	
Woodley Petroleum Co. et al	1145	A Cumulative Codification Guide cov	ering
Forest Service Notices:		the current month appears at the end of issue beginning with the second issue o	
Tropical Research Center lead-		month.	
er; delegation of authority to accept or execute and de-		3 CFR	Page
liver deeds and other docu-		Executive orders: 10758 (revoked by EO 10859)	1089
ments on behalf of the U.S	1140	10777 (revoked by EO 10859)_	1089
Health, Education, and Welfare Department		10823 (superseded by EO 10860)	1089
See Public Health Service.		10859	1089
Interior Department		10860 6 CFR	1089
See Land Management Bureau.		421 (3 documents) 1092,	1093
Interstate Commerce Commis-		7 CFR	2000
Notices:		Proposed rules:	
Fourth section applications for relief	1150	900—1070 (2 documents) _ 1127,	1132
Western Carriers Tariff Bureau;		14 CFR 507	1093
agreement	1150	601 (3 documents) 1093,	1094
Justice Department See Alien Property Office.			1094
Land Management Bureau		200	1136
Notices:		38 CFR	
Nevada; proposed withdrawal and reservation of lands	1137	•	1126
	~~~!	V	1126

# CODIFICATION GUIDE—Con.

Page	1095	1092
	-	
04		~
30 CFR	00—176	13 CFR
(,	) <del>I</del>	4 ∺

Flag base—blue.
Stars, large and small—white.
Shield:
Chief—light blue.
Stripes—white and red.
Eagle:
Wings, body, upper legs—shades of brown.

Head, neck, tail—white, shaded gray.
Beak, feet, lower legs—yellow.
Talońs—dark gray, white high lights.
Arrows—white shaded gray.
Olive branch:

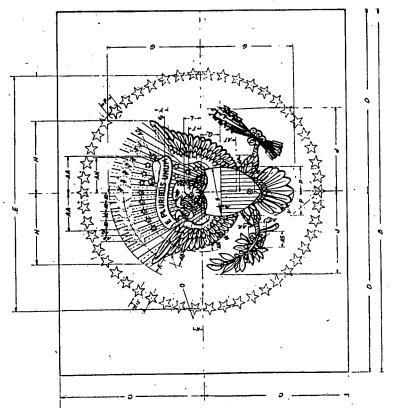
Leaves, stem—shades of green.
Olives—light green.
ays—yellow.

Rays—yellow. Clouds—white, shaded gray.

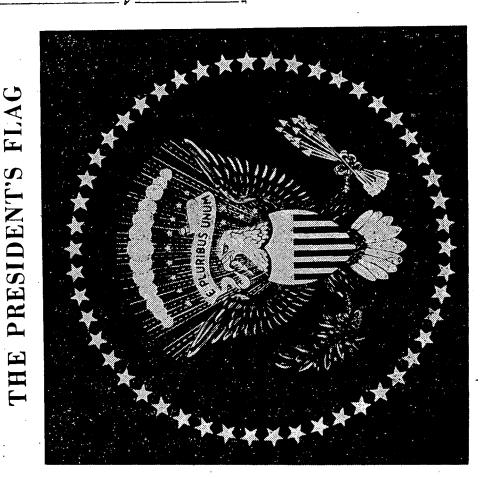
Clouds—walte, snaded gray.
Scroil—white with gray shadows.
Letters—black.
All dimensions are exclusive of heading and

Device to appear on both sides of flag but will appear reversed on reverse side of flag, except that the motto shall read from left to right on both sides.

# THE PRESIDENT'S FLAG



												I	١	ı	İ	I	l	ĺ	Į	İ	١	ſ
			١	ľ	E.A.T	3/	90	TIOKS	8	RELATIVE PROPORTIONS OF DESIGN TO HOIST OF FLAG	10 #	TSIC C	1	1	•		ļ			1		
ACIDATION OF THE PROPERTY.	a cream	-	6	-	-	-		z	١,	-	_	*	z	•		•			٠	3	>	*
-	Ť	I		1	01/10	10000	9	57	2002	\$580   \$580   \$580   \$600   \$580   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$000   \$0	8	2170	500	2002	6639	28730	988	5965	99960	25.783	ŝ	200
RELATIVE CHIERSIONS				1	1	1		1	1	1	1	1	1	1	1	1	1	1	1	١	١	1
																	ļ					1
		I		I	I	ĺ	Ì	I	ľ	Ì	ľ	İ	ľ	ľ	l	ŀ			ŀ		:	
	×	>	N	7	7	٧	2	¥	>	Z AM AS AC AD AE AF AS AN AJ AK AL AM AN AO AP AO AR AS AT	₹	3	×	4	Į	=	40	•	Q		2	
	510 SET 10 SEC 10 SET 10 SEC 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 10 SET 1	i	2	0	1	SEES	20	26630	8	28830	80	50	ş	01322	22,803	6	52	2	-	67.80	282280	W7.78
						1	1	1	1	١	1	١	1	1	1	١	١	١	1	١	١	l



#### THE PRESIDENT'S SEAL



[F.R. Doc. 60-1309; Filed, Feb. 8, 1960; 9:50 a.m.]

#### **RULES AND REGULATIONS**

# Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

SUBCHAPTER C-AREAS SUBJECT TO SPECIAL LAWS

[Circular 2038]

#### PART 115—REVESTED OREGON AND CALIFORNIA RAILROAD AND RE-CONVEYED COOS BAY WAGON ROAD GRANT LANDS IN OREGON

#### Payment to U.S. for Road Use

On page 9677 of the Federal Register on December 3, 1959, there was published a notice of proposed rule making to issue an amendment to the regulations implementing the provisions relating to road use fees on the O. and C. and Coos Bay Wagon Road Grant Lands. Interested persons were given 30 days in

which to submit written comments, suggestions, or objections with respect to the proposed regulation.

No comments, suggestions, or objections have been received. The proposed regulation is hereby adopted without change and is set forth below. In order that the public may promptly receive the benefit of the amendment, it shall become effective at the beginning of the calendar day on which it is published in the Federal Register.

ELMER F. BENNETT, Acting Secretary of the Interior.

FEBRUARY 3, 1960.

Part 115 is amended by adding a new paragraph (c) to § 115.171, reading as follows:

§ 115.171 Payment to the United States for road use.

(c) If an application is filed to use a road built on O. and C. lands by the applicant or his predecessor in interest 714b. Interpret or apply sec. 5, 62 Stat.

under a permit which has expired, the authorized officer may issue a new permit which provides that as to such road the applicant's road use payments shall be determined in accordance with paragraph (b) of this section except that he shall be required to pay a road use fee which is adequate to amortize only his proportionate share of any capital improvements which have been or may be placed on the road by the United States or its licensees together with a reasonable interest allowance thereon plus cost of maintenance if furnished by the United States: Provided, however, That if the application is for use of a road which has been built by a predecessor in interest the permit shall provide that the applicant may use the road only for the purpose of reaching the lands of the predecessor in interest that were served by the road. As a condition for the granting of such a permit, the applicant must comply with § 115.162 to the extent that rights-of-way and road use rights are needed to manage lands of the United States or to remove timber therefrom.

[F.R. Doc. 60-1247; Filed, Feb. 8, 1960; 8:49 a.m.]

### Title 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[C.C.C. Grain Price Support Bulletin 1, 1959 Supp. 2, Amdt. 5, Wheat]

#### PART 421—GRAINS AND RELATED COMMODITIES

#### Subpart—1959-Crop Wheat Loan and Purchase Agreement Program

Basic County Support Rates

The regulations issued by the Commodity Credit Corporation and the Commodity Stabilization Service published in (24 F.R. 1633, 3151, 6315, 6232, 6314, 6642, 7092, 7239, 7599 and 8479), containing the specific requirements of the 1959-crop wheat price support program are hereby amended as follows:

Section 421.4047(b) is amended by increasing the following basic county support rates:

CALIFORNIA

	Rate per	bushe
County	From-	To-
Lassen		
Modoc	1.78	1.84
Plumas		1.81
Oregon		
Gilliam	<b>- \$1.8</b> 5	\$1.86
Grant	1.83	1. 85
Lake	1.78	1.83
Morrow	1.83	1.85
Wheeler	1.83	1.85
(Sec. 4, 62 Stat. 1070, as am	ended; 15	U.S.C

U.S.C. 714c, 7 U.S.C. 1441, 1421)

Issued this 4th day of February 1960.

CLARENCE D. PALMBY. Acting Executive Vice President, Commodity Credit Corporation.

(F.R. Doc. 60-1270; Filed, Feb. 8, 1960; 8:52 a.m.]

[C.C.C. Grain Price Support Bulletin 1, 1959 Supp. 2, Amdt. 5, Grain Sorghums]

#### PART 421—GRAINS AND RELATED COMMODITIES

#### Subpart—1959-Crop Grain Sorghums Loan and Purchase Agreement **Program**

#### BASIC COUNTY SUPPORT RATES

The regulations issued by the Commodity Credit Corporation and the Commodity Stabilization Service published in 23 F.R. 9651, 24 F.R. 3031, 4125, 6179, 8665, 9327 and 25 F.R. 381 and containing the specific requirements for the 1959-Crop Grain Sorghums Price Support Program are hereby amended as follows:

Section 421.4237(b) is amended by increasing the following basic county support rates:

CALIFORNIA

#### Rate per hundredweight From-To-County Butte _____ \$1.89 \$1.90 Lassen _____ 1.60 Modoc _____ 1.66 1.76 Plumas _____ 1.66 1,70 COLORADO Baca _____ \$1.29 \$1.40 KANSAS Grant _____ \$1.32 \$1.40 Meade _____ 1.34 1.40 1.46 1.46 Stanton 1.30

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 105, 401, 63 Stat. 1051, as amended, 15 U.S.C. 714c, 7 U.S.C. 1421, 1441)

Issued this 4th day of February 1960.

CLARENCE D. PALMBY. Acting Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 60-1268; Filed, Feb. 8, 1960; 8:52 a.m.]

[C.C.C. Grain Price Support Bulletin 1, 1959 Supp. 2, Amdt. 3, Rye]

#### PART 421—GRAINS AND RELATED **COMMODITIES**

#### Subpart—1959-Crop Rye Loan and Purchase Agreement Program

BASIC COUNTY SUPPORT RATES

The regulations issued by the Commodity Credit Corporation and the Commodity Stabilization Service published in (24 F.R. 2937, 4449, 7092 and 8480), containing the specific requirements of the

1072, secs 101, 401, 63 Stat. 1051, 1054; 15 1959-crop rye price support program are hereby amended as follows:

Section 421.4387 (b) is amended by increasing the following basic county support rates:

#### CALIFORNIA

	kate per i	ousnei
	From-	
Lassen	\$0.91 ·	\$0.95
Modoc	94	
Plumas	94	.96
Oregon		
Gilliam	_ \$1.07	\$1.09
Grant	1.06	1.07
Lake	94	.99
Morrow	_ 1.06	1.08
Wheeler	1.06	1.07
(Sec. 4, 62 Stat. 1070, as ame	nded; 15	U.S.C.

714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 105, 401, 63 Stat. 1051, as amended, 15 U.S.C. 714c, 7 U.S.C. 1421, 1441)

Issued this 4th day of February, 1960.

CLARENCE D. PALMBY. Acting Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 60-1269; Filed, Feb. 8, 1960; 8:52 a.m.]

## Title 14—AERONAUTICS AND

Chapter III—Federal Aviation Agency

SUBCHAPTER C-AIRCRAFT REGULATIONS

[Reg. Docket No. 237; Amdt. 100]

#### PART 507—AIRWORTHINESS **DIRECTIVES**

#### Lockheed 188 Aircraft

There have been two failures of front Lord engine mounts on Lockheed 188 aircraft. Such failures can result in misalinement or separation of the engine from its mounting. It is necessary in the interest of safety to require im-mediate inspection of the mount and, if cracks are found upon inspection, immediate replacement of the defective mount is necessary.

In view of the foregoing, the Administrator found that a situation existed requiring immediate action in the interest of safety, that notice and public procedure thereon were impracticable and contrary to the public interest, and that good cause existed for taking corrective action. Accordingly, an airworthiness directive was adopted on January 11, 1960, and made effective immediately as to all known operators of Lockheed 188 aircraft by individual telegrams dated January 11, 1960. It is hereby published as an amendment to § 507.10(a) (14 CFR Part 507) and shall become effective upon the date of its publication in the FEDERAL REGISTER as to all other persons:

LOCKHEED. Applies to all Lockheed Model L-188 airplanes equipped with Lord engine mounts Number LM-204A-SA4. Compliance required as indicated.

As a result of two incidents of front Lord engine mount fatigue failures on units of

old design the following must be accomplished:

(a) Inspect mounts for cracks particularly in the web and fillet areas upon next arrival at scheduled stop where maintenance facilities are available and repeat this inspection at intervals not to exceed 50 flight hours. Any mounts with cracks must be replaced immediately with LM-204A-SA5/Lockheed P/N 632182-9.

(b) Replace all LM-204A-SA4 mounts with LM-204A-SA5 mounts within 300 flight hours after first inspection required by (a) but not later than March 1, 1960.

(c) All spare quick engine change units must be modified to include the new SA5 mounts prior to installation in aircraft.

(Lockheed Service Bulletin No. 228 covers this same subject.)

This amendment shall become effective immediately.

(Sec. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on February 3, 1960.

> JAMES T. PYLE, Acting Administrator.

[F.R. Doc. 60-1223; Filed, Feb. 8, 1960; 8:46 a.m.]

#### SUBCHAPTER E-AIR NAVIGATION REGULATIONS

[Airspace Docket No. 59-WA-416; Amdt. 180]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEG-MENTS

#### **Modification of Control Zone**

The purpose of this amendment to § 601.2213 of the regulations of the Administrator is to modify the Salina, Kans., control zone.

In § 601.2213, the extension to the south is described as within 2 miles either side of the Schilling AFB TVOR 180° radial extending from the TVOR to a point 10 nautical miles south. Thus the present control zone does not cover the airspace between the TVOR and the 5 mile radius zone. In the interest of safety and in order to provide protection for aircraft presently conducting instrument approaches via this extension, it is necessary to immediately amend the description as follows: "and within 2 miles either side of the 360° True and 180° True radials of the Schilling AFB TVOR extending from the 5 mile radius zone to a point 10 nautical miles south of the Schilling AFB TVOR."

For the reasons stated above, it has been determined that a situation exists requiring immediate action in the interest of safety and that compliance with the notice, public procedure and effective date requirements of section 4 of the Administrative Procedure Act would be contrary to the public interest.

In consideration of the foregoing, and pursuant to the authority delegated to

#### **RULES AND REGULATIONS**

me by the Administrator (24 F.R. 4530) § 601.2213 (24 F.R. 10581) is amended as follows:

In the text of § 601.2213 Salina, Kans., control zone, delete "and within 2 miles either side of the Schilling AFB TVOR 180° radial extending from the TVOR to a point 10 nautical miles south," and substitute therefor "and within 2 miles either side of the 360° T and 180° T radials of the Schilling AFB TVOR extending from the 5 mile radius zone to a point 10 nautical miles south of the Schilling AFB TVOR,".

This amendment shall become effective upon the date of publication in the Federal Register.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on February 2, 1960.

D. D. THOMAS, Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-1219; Filed, Feb. 8, 1960; 8:45 a.m.]

[Airspace Docket No. 60-WA-5; Amdt. 237]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

#### **Revocation of Reporting Points**

The purpose of this amendment to § 601.7001 of the regulations of the Administrator is to revoke the Champaign, Ill., the Knox, Ind., and the Polo, Ill., VORs and the Mendota, Wis., the New Alexandria, Pa., and the Roscoe, Ohio intersections as reporting points.

The Federal Aviation Agency has determined that these reporting points are no longer required for efficient air traffic management. Action is, therefore, being taken herein to revoke these facilities and intersections as reporting points.

Since this amendment eliminates a burden on the public, compliance with the notice, public procedure, and effective date requirements of section 4 of the Administrative Procedure Act is unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) § 601.7001 (24 F.R. 10606) is amended as follows:

In the text of § 601.7001 Domestic VOR reporting points, delete:

Champaign, Ill., omnirange station, Knox, Ind., VOR, and Polo, Ill., omnirange station.

Mendota Intersection: The intersection of the Jamesville, Wis., omnirange 339° True and the Lone Rock, Wis., omnirange 103° True radials.

New Alexandria INT: The INT of the Pittsburgh, Pa., VOR 067° T and the Johnstown, Pa., VOR 292° T radials.

Roscoe Intersection: The intersection of the Appleton, Ohio, omnirange 085° True radial with the Zanesville, Ohio, omnirange direct radial to the Tiverton, Ohio, omnirange station.

This amendment shall become effective 0001 e.s.t. April 7, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on February 2, 1960.

D. D. THOMAS, Director, Bureau of Air Traffic Management.

[F.R. DOC 60-1220; Filed, Feb. 8, 1960; 8:45 a.m.]

[Airspace Docket No. 60-WA-7; Amdt. 239]

# PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL A R E A S , CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

#### **Revocation of Reporting Point**

The purpose of this amendment to § 601.5001 of the regulations of the Administrator is to revoke the East Nantucket, Mass., intersection as a reporting point.

The Federal Aviation Agency has determined that this reporting point is no longer needed for efficient air traffic management. Action is, therefore, being taken herein to revoke this intersection as a reporting point.

Since this amendment eliminates a burden on the public, compliance with the notice, public procedure, and effective date requirements of section 4 of the Administrative Procedure Act is unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) \$601.5001 (24 F.R. 10597) is amended as follows:

In the text of § 601.5001 Other reporting points, delete: "East Nantucket Intersection: The intersection of a line bearing 82° True from the Nantucket, Mass., Consolan station (monitor site) and the southeast source of the Squantum, Mass., (Navy) radio range."

This amendment shall become effective 0001 e.s.t. April 7, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on February 2, 1960.

D. D. THOMAS, Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-1221; Filed, Feb. 8, 1960; 8:45 a.m.]

[Airspace Docket No. 59-WA-215, Amdt. 32]

# PART 602 — ESTABLISHMENT OF CODED JET ROUTES AND NAVI-GATIONAL AIDS IN THE CONTINENTAL CONTROL AREA

#### Modification of Coded Jet Route

The purpose of this amendment to \$602.523 of the regulations of the Administrator is to modify the segment of VOR/VORTAC jet route No. 23 which extends from Wichita, Kans., to North Platte. Nebr.

A segment of J-23-V is presently designated from the Wichita VOR direct to the North Platte VOR. The Federal Aviation Agency is redesignating this segment of Jet Route No. 23 V from the Wichita VOR via the Hill City, Kans., VOR to the Cheyenne, Wyo., VOR. This will extend J-23-V from Wichita to Cheyenne in order to provide a shorter, more direct route between these two terminals.

This action has been coordinated with the Army, the Navy, the Air Force, and interested civil aviation organizations. Accordingly, compliance with the Notice, and public procedures provisions of section 4 of the Administrative Procedure Act have, in effect, been complied with. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) § 602.523 (14 CFR, 1958 Supp., 602.523) is amended as follows:

Section 602.523 VOR/VORTAC jet route No. 23 (Brownsville, Tex., to North Platte, Nebr.):

1. In the caption, delete "(Brownsville, Tex., to North Platte, Nebr.)" and substitute therefor "(Brownsville, Tex., to Cheyenne, Wyo.)."

2. In the text, delete "Wichita, Kans., VOR to the North Platte, Nebr., VOR" and substitute therefor "Wichita, Kans., VOR; Hill City, Kans., VOR; to the Cheyenne, Wyo., VOR.".

This amendment shall become effective 0001 e.s.t. April 7, 1960.

(secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on February 2, 1960.

D. D. THOMAS, Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-1218; Filed, Feb. 8, 1960; 8:45 a.m.]

#### Title 39—POSTAL SERVICE

Chapter I-Post Office Department SUBCHAPTERS K-Q-INTERNATIONAL MAIL

#### AMENDMENTS TO CHAPTER

Regulations of the Post Office Department in Subchapters K, L, M, N, O, P, and Q, embracing Parts 100 through 176, are revoked; and the following Subchapters are inserted in lieu thereof:

SUBCHAPTERS K-Q-INTERNATIONAL MAIL

SUBCHAPTER K-INTERNATIONAL POSTAL SERVICE

Part 101 Postal unions.

102 Categories of international mail.

103 Official correspondence.

SUBCHAPTER L-POSTAL UNION MAIL

Conditions applicable to all classes.

112

113 Treatment of outgoing postal union mail.

Treatment of incoming postal union mail.

SUBCHAPTER M-PARCEL POST

Outgoing parcels. 121

Incoming parcels.

SUBCHAPTER N-SPECIAL SERVICES

Air service.

132 Registration.

133 Insurance. 134 COD mail.

Special delivery (express).

136 Special handling.

Recall and change of address.

137

138 Certificates of mailing. Main sent via Department of State. 139

> SUBCHAPTER O-NON POSTAL EXPORT REGULATIONS

141 When required.

Commerce Department regulation (Commodities and technical data). regulations 142

143 State Department regulations (arms and technical data).
Treasury Department regulations (gold

144 and gold certificates).

Agriculture Department regulations.

Consular and commercial invoices.

147 Drawback arrangement.

SUBCHAPTER P-IMPORTATIONS

Prohibited or restricted articles.

153 Plant quarantine inspection.

SUBCHAPTER Q-INQUIRIES, INDEMNITIES, AND REFUNDS

Inquiries and complaints.

162 Indemnity claims and payments.

163 Postage refunds.

#### SUBCHAPTER K-INTERNATIONAL POSTAL SERVICE

#### PART 101—POSTAL UNIONS

Sec. 101.1 Universal Postal Union.

101.2 Postal Union of the Americas and

AUTHORITY: §§101.1 and 101.2 issued under R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372.

#### § 101.1 Universal Postal Union.

The exchange of all mail except parcel post between the United States and other countries is governed by the provisions of the Convention of the Universal Postal Union, of which the United States is a member.

#### § 101.2 Postal Union of the Americas § 103.1 With the department, and Spain.

The United States and the following countries are also members of the Postal Union of the Americas and Spain (PUAS):

Argentina. Nicaragua. Bolivia. Panama. Brazil. Paraguay. Canada. Peru. Salvador (E1) Chile. Spain (including Ba-Colombia. Costa Rica. learic Islands, Canary Islands, and Spanish offices in Cuba. Dominican Republic. Ecuador. Northern Africa). Guatemala. Spanish Guinea. Haiti. Spanish West Africa. Honduras Republic. Uruguay.

Certain special provisions apply to the exchange of mail, including parcel post, with the countries listed above. Those provisions appear in the appropriate sections of this

Venezuela.

chapter. Note: The corresponding Postal Manual part is 211.

#### PART 102—CATEGORIES OF INTERNATIONAL MAIL

Sec. 102.1 Postal Union Mail. 102.2 Parcel Post.

Mexico.

AUTHORITY: §§ 102.1 and 102.2 issued under R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372.

#### § 102.1 Postal Union Mail.

Postal union mail, exchanged under the provisions of the Universal Postal Convention or the Convention of the Postal Union of the Americas and Spain, is divided into two categories, namely LC mail and AO mail, as follows:

(a) LC mail includes letters, letterpackages, post cards, and air letters (aerogrammes). See §§ 112.1, 112.2 and 131.5 of this chapter.

(b) AO mail includes commercial papers printed matter, matter for the blind, samples of merchandise, and small packets. See §§ 112.3 through 112.7 of this chapter.

#### § 102.2 Parcel Post.

Parcel post is a separate and distinct category from postal union mail. The exchange of parcel post with other countries is governed by the provisions of individual bilateral agreements with various countries and the Parcel Post Agreement of the Postal Union of the Americas and Spain. See Subchapter M-Special Services and under the Parcel Post headings of the various country items in § 168.5 of this chapter.

Note: The corresponding Postal Manual part is 212.

#### PART 103—OFFICIAL CORRESPONDENCE

103.1 With the Department.

103.2 With Foreign Postal Authorities.

103.3 With individuals in other countries.

AUTHORITY: §§ 103.1 through 103.3 issued under R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372,

Correspondence relating to all phases of the international postal service, except money-order business and investigations handled by the Postal Inspection Service, should be addressed to the International Service Division, Bureau of Transportation, Post Office Department, Washington 25, D.C.

#### § 103.2 With foreign postal authorities.

Postmasters, regional offices, and other field units of the Postal Establishment (except exchange offices, postal inspectors in charge and postmasters acting under instructions in Part 161 of this chapter, shall not correspond directly with postal officials in other countries, but shall refer inquiries from these officials to the Department for attention.

#### § 103.3 With individuals in other countries.

Postmasters, regional offices, and other field units of the Postal Establishment may reply direct to inquiries and engage in other necessary correspondence with individuals and firms in other countries. The addresses of patrons may be furnished to inquiries, provided the patrons have given their consent. This correspondence is mailable without postage stamps under § 111.2(d) (5) of this

Note: The corresponding Postal Manual part is 213.

#### SUBCHAPTER L-POSTAL UNION MAIL

#### PART 111—CONDITIONS APPLI-CABLE TO ALL CLASSES

Preparing and addressing.

111.2

Postage. Prohibitions and restrictions. 111.3

Documentation. 111.4

AUTHORITY: § 111.1 through 111.4 issued under R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372.

#### § 111.1 Preparing and addressing.

- (a) Preparing. (1) Senders must prepare articles securely, especially if they are for distant countries. International mail is handled more often and subjected to greater pressure and friction than domestic mail, hence it must be enclosed in strong envelopes or other wrappings.
- (2) Use envelopes of any light color on which the address and postmark will be legible. Do not use three-cornered envelopes. Window envelopes meeting the conditions in § 12.4 of this chapter, with the exception of open-panel envelopes, are acceptable in the international mail. Open-panel envelopes are accepted only in the ordinary (unregistered) mail to Canada.
- (b) Addressing. (1) Address mail articles in legible roman letters placed on the right-hand side of the article, lengthwise, in such a way as to leave space for the postage stamps or postagepaid impressions and the service labels and notations (postmarks, etc.).
- (2) Write the name and address of the addressee precisely and completely, with the names of the locality and country of destination in capital letters. Give the

house number and street address or box number when sending mail to towns or cities.

(3) On the address of an article sent to general delivery, indicate the name of the addressee. The use of initials, figures, simple given names, fictitious names, or conventional marks of any kind is not permitted on any articles.

(4) Addresses in Russian, Greek, Arabic, Hebrew, Japanese, or Chinese characters must bear an interlined translation of the names of the post office, province, and country of destination in English. If the English form of the names is not known, the foreign spellings shall be shown in roman characters, print, or script.

(c) Return address. The complete address of the sender must be shown in the upper left-hand corner of the address side of the mail in such a way as not to affect either the clarity of the address or the application of service labels or notations. Many countries do not return certain ordinary (unregistered) articles that cannot be delivered as addressed unless they bear the sender's return address. Ordinary (unregistered) articles bearing a return address in another country are accepted only at the risk of the senders.

Note. The corresponding Postal Manual part is 221.

#### § 111.2 Postage.

- (a) Prepayment. Articles must be fully prepaid to assure dispatch without delay and without penalty against the addressees. If the missing postage cannot be collected from the mailer, the shortpaid articles are either sent to destination and double the shortage collected from the addressees or they are sent to dead letter offices for treatment. See § 113.2 of this chapter.
- (b) How paid. Postage, registration fees, and insurance fees can be prepaid by means of United States postage stamps or by meter stamps of a bright red color. Precanceled stamps may be used under the same conditions as in the domestic mail. Airmail stamps may be used on airmail articles only, and special-delivery stamps on special-delivery articles only. Prepayment of postage may also be indicated by means of permit imprints, subject to the general conditions stated in Part 34 of this chapter. Permit imprints must show the amount of postage paid and may be black or any other color. For method of paying postage on second-class matter mailed by the publishers or by registered news agents to Canada, see § 112.4(e) (3) (ii) of this chapter.
- (c) Articles mailed aboard ships (Paquebot). (1) Mail posted aboard ships on the high seas must bear postage stamps of the country whose flag the vessel flies. On arrival at a port, an officer of the ship hands the mail into the post office of the port city, where the stamps are cancelled and the mail is dispatched. If the stamps are foreign, the post office uses a special "Paquebot" postmark or applies the word "Paquebot" to the envelope in ink or with a rubber stamp.
- (2) Mail posted aboard a United States ship on the high seas, or aboard any ship

while in a United States port, must bear United States stamps and is not entitled to Paquebot cancellation at a United States post office.

(d) Mailings without postage—(1) Diplomatic and consular mail. Diplomatic and consular mail is accepted without postage affixed under the following conditions when addressed to countries of the Postal Union of the Americas and Spain (see § 101.2 of this chapter):

(i) Diplomatic. Free postage and free registration are granted to all surface correspondence (official and personal) of members of the diplomatic corps of PUAS countries when addressed to the PUAS countries. The weight and size limits specified in Part 122 of this chapter apply.

(ii) Consular. Free postage and free registration are granted to the official surface correspondence of consuls or vice consuls of PUAS countries when—

- (a) Addressed for delivery in the country represented by the mailing official:
- (b) Addressed to the Embassy or Legation of the official's country located in any of those countries; or
- (c) Addressed to such an official of any of those countries located in those countries.
- (iii) Marking. Envelopes, labels, etc., used by members of the PUAS diplomatic corps for postage free mail must show in the upper left corner of the address side the name of the Ambassador or Minister or name of the Embassy or Legation, with post office address. In the upper right corner should be the words Diplomatic Mail over the word Free. In the case of consulates, the name and address of the consul or consulate as well as the name of the country must appear over the words "Official Correspondence" in the upper left corner. The words "Consular Mail" must be written above Free in the upper right corner.
- (iv) Special services. Diplomatic and consular mail entitled to free postage is also entitled to free registration but without the right to indemnity. If air or special delivery service is desired, both the postage and any special fees must be prepaid.
- (2) Federal Government official mail. Official mail of the Federal Government is accepted for other countries without postage affixed under the following conditions:
- (i) Penalty and franked mail. Ordinary (unregistered) surface mail prepared in accordance with the provisions of §§ 127.1 and 127.2 of this chapter is accepted when addressed to PUAS countries, except Argentina, Brazil, Spain, and Spanish Possessions. This mail must not exceed the domestic weight limit of 4 pounds, except when it is exempt from that limit by regulation (see § 27.2(e)(1) of this chapter), in which case the weight limits prescribed in Part 112 of this chapter apply. The maximum dimensions prescribed in Part 112 of this chapter apply in all cases. If registration, air, or special delivery service is desired, both the postage and fee must be prepaid.
- (ii) Postage and fees paid mail. All official mail of authorized departments

and agencies prepared in accordance with the previsions of § 27.2(c) (2) of this chapter will be given the postal service indicated on its cover. There is no limitation as to the countries to which this mail may be addressed provided the service desired is available. The weight and size limits prescribed in Part 112 of this chapter and, under the parcel post headings of the various country items, § 168.5 of this chapter.

(3) Pan American union mail. Ordinary (unregistered) surface mail bearing the return address of the Union and weighing not more than 4 pounds is accepted without postage affixed when addressed to PUAS countries except Canada. Such mail must bear the indicia "Free Under Postal Convention" in the upper right corner. If registration, air, or special delivery service is desired, both the postage and fee must be prepaid.

(4) Pan American sanitary bureau mail. Ordinary (unregistered) surface mail bearing the return address of the Bureau and weighing not more than 4 pounds is accepted without postage affixed when addressed to PUAS countries except Canada. Such mail must bear the indicia Free Under Postal Convention in the upper right corner. If registration, air, or special delivery service is desired, both the postage and fee must be prepaid.

(5) Postal service official mail. All official mail of the Postal Service may be accepted without postage affixed. Use penalty envelopes or labels for mail addressed to (i) postal administrations or post offices in any country, (ii) the International Bureau of the Universal Postal Union at Berne, Switzerland, and (iii) to any addressee in the PUAS countries except Argentina, Brazil, Spain, and Spanish Possessions. In all other cases use penalty envelopes or labels with the addition of the endorsement "Postage and Fees Paid". Larger post offices having sufficient need may requisition a rubber stamp from the Department on Form 1567, "Requisition for Rubber and Steel Stamps Only."

(e) Reply coupons. (1) International reply coupons of the Universal Postal Union, printed in blue ink and bearing the caption "Coupon-Résponse International" at the top and the name of the country of issue at the bottom, are sold in most countries. The selling post office must postmark the coupons on the left-hand side. The period of exchange

of the coupons is unlimited.

(2) International reply coupons of United States issue may be purchased at United States post offices for 15 cents each. Each coupon is exchangeable in any country for a stamp or stamps representing the international postage on a single-rate surface letter. Upon presentation of a sufficient number of coupons, the stamp or stamps received in exchange may be used to prepay a letter to this country by air. (See § 168.2 of this chapter.) Unused United States reply coupons may be redeemed by the original purchaser at a discount of 1 cent on the purchase price.

(3) Properly postmarked international reply coupons issued in other counties are exchangeable at United States post offices for postage stamps at the rate

of 8 cents each, except that Canadian and Mexican international reply coupons are exchanged at the rate of 4 cents each in postage. Patrons may not redeem more than 10 coupons at one time unless they present the article or articles which are to be prepaid, and affix the postage at the post office.

(4) Unpostmarked foreign coupons, or those not properly postmarked by the foreign post office, may be exchanged if there is no apparent reason to doubt the authenticity of the coupons. Authentic coupons are printed in blue ink on paper having in the watermark the letters "UPU" in large characters. Post offices must not exchange foreign coupons that bear a United States postmark at the time they are presented for exchange.

(5) Reply coupons formerly issued by the Postal Union of the Americas and Spain are no longer valid. These coupons are printed in green ink and bear the caption "Cupón Respuesta Américo-Español". It is suggested that patrons possessing any of these coupons return them to their correspondents in the country of issue for redemption through the selling post office.

(6) Postmasters will requisition reply coupons from the same sources from which they obtain postage stamps. They should be stocked at offices having a demand for them.

(7) Postmasters will claim credit for redeemed coupons.

(f) Foreign reply-paid cards. reply halves of post cards bearing foreign stamps or imprinted postage and the heading "Carte postale réponse" (reply post card) are accepted as fully prepaid for ordinary surface transmission only if addressed to the country represented by the foreign postage. If this condition is not met, they are treated as unprepaid post cards. The initial half of the card may be left attached to the reply half provided the address on the initial half is crossed out and folded on the inside of the card. Registry and special-delivery fees can be prepaid only with United States stamps. See § 131.3(c) of this chapter regarding additional United States postage required to transmit cards by airmail.

(g) Nonpostage stamps. Do not place nonpostage stamps, labels resembling postage stamps, or impressions resembling postage-paid impressions on the address side of mail articles.

(h) Remailed articles. New postage is required when remailing an article which has been returned from abroad because of insufficient address.

#### § 111.3 Prohibitions and restrictions.

- (a) General list of prohibited articles. The following articles are prohibited transmission in the postal union mail to all countries:
- (1) Any article without address or incorrectly, insufficiently, or illegibly addressed so that it cannot be sent to its
- (2) Any article addressed to go around the world or with the address side wholly or partly divided into several spaces intended for successive addresses.
- (3) Poisons, including narcotics (opium, morphine, cocaine, etc.), explosives and inflammable articles (see

§ 121.5(a)(8) of this chapter), and all other articles excluded from the domestic mail, which either from their nature or packing are likely to soil or damage the mail or are injurious to health, life, or property. Articles containing gas or liquid under pressure, except that products incorporating compressed gas are acceptable if the mist produced is noninflammable, the quantity of contents are not more than a pint, and not more than one container per package. These restrictions as to quantity do not apply to aerosol containers holding mailable liquid and gas under pressure less than 40 pounds per square inch absolute (25 pounds gage pressure) at 70° F. Liquids with flash point below 150° F. are restricted as stated in § 121.5(b) (1) of this chapter. The container must be completely surrounded with sawdust, bran, or other absorbent material sufficient to take up all the liquid contents.

(4) Matches, including matches.

(5) Live or dead animals and insects, except: (i) Live bees, leeches, and silk worms; (ii) dead insects or reptiles when thoroughly dried; and (iii) parasites and predators of injurious insects intended for the control of such insects and exchanged between officially recognized agencies.

(6) Coins, bank notes, paper money or any values payable to bearer: manufactured or unmanufactured platinum, gold or silver, precious stones, jewelry stones, jewelry or other precious articles are prohibited transmission in the postal union mail unless sent by registered letter mail. These articles are absolutely prohibited even in registered letter mail to some countries. The term "jewelry" is generally understood to denote articles of more than nominal value. Low priced jewelry, such as tie clasps, costume jewelry, and other items containing little or no precious metal, is not considered to be jewelry within the meaning of this section, and is accepted under the same conditions as other mailable merchandise to any country. However, it is accepted only at the sender's risk to countries which prohibit jewelry. (See individual country items in § 168.5 of this chapter.)

(7) Gold coin, gold bullion, or gold dust exceeding \$100 in value. § 144.4 of this chapter.)

(8) Articles whose acceptance or circulation is prohibited in the country of destination. See paragraph (c) of this section.

(9) Communications having the character of actual and personal correspondence, except in the form of letters or post cards.

(10) For articles prohibited from international parcel post, see § 121.5 of this

(b) Restricted articles—(1) Gold and gold certificates. (See Part 144 of this chapter.)

(2) Tobacco seed and plants. Part 145 of this chapter.)

(3) Plant material generally. (See § 121.5(b) (5) of this chapter.)

(4) Combustible liquids. See § 121.5 (b) (1) of this chapter.)

(5) Perishable biological materials-(i) Mailing restriction. Perishable bio-

logical materials, including those of pathogenic nature, when sent in the postal union mail may be sent only as letter packages packed as prescribed in paragraph (b) (5) (iii) of this section, and may be sent only to the countries that have agreed to accept them. The packages must bear distinctive violet labels by which they can readily be recognized and receive careful handling and prompt delivery. The countries that have agreed to accept letter packages containing perishable biological materials are-

Malta.

Mauritius.

Aden.

Argentina. Netherlands Antilles. Australia. Austria. New Zealand. Barbados. Nigeria. Belgian Congo. North Borneo. Norway. Persian Gulf Ports. Belgium. Bermuda. Cayman Islands. Philippines. Cyprus. Poland. Czechoslovakia. Portugal. Denmark. Rhodesia and Nyasa-Falkland Islands. land. Fili Islands. Saint Helena. Germany (Eastern). Salvador (El). Ghana. Sarawak. Gibraltar. Sierra Leone. Gilbert and Ellice Somaliland Prot. Islands. Spain. Great Britain and Northern Ireland. Sudan. Sweden. Hong Kong. Switzerland. Hungary. Tanganyika. Iceland. Trinidad. Jamaica. Turkey. Turks Islands. Japan. Kenya and Uganda. Uruguay. Lebanon. Zanzibar. Malaya.

(ii) Qualification of mailers. Only officially recognized laboratories may send or receive letter packages containing perishable biological materials. Laboratories of the following categories are so designated:

Laboratories of local, State, and Federal government agencies.

Laboratories of federally licensed manufacturers of biologic substances derived from bacteria and viruses.

Laboratories affiliated with or operated by hospitals, universities, research facilities, and other teaching institutions.

Private laboratories licensed, certified, recognized, or approved by a public authority.

(b) A laboratory desiring to mail letter packages containing materials of this kind shall make written application on its letterhead stationery to the International Service Division, Bureau of Transportation, Post Office Department, Washington 25, D.C., explaining its qualifications and those of the prospective addressee to send and receive such materials, and stating how many packages are to be mailed. On approval, the mailer will receive a sufficient number of the violet labels for the contemplated shipments.

(iii) Packaging. (a) Perishable biological material not of a pathogenic nature must be packed in a nonporous container surrounded by sufficient absorbent material to take up all the liquid and must be placed in an outer protective container where it should fit tightly to avoid any shifting.

(b) Perishable biological material of a pathogenic nature must be packed in a tightly closed bottle or tube or heavy

Letters and letter packages.

Commercial papers.

Post cards.

ficient in quantity to absorb all the liquid; the wrapped container must be placed in a strong well-closed metal box must be wrapped in cushioning material and placed in an outer protective box where it should fit tightly so as to avoid shifting. The outer container must consist of a hollow block or strong wood, terial rolled several times around the bottle or tube and tied at the ends, sufso constructed as to prevent any contamination outside of it. This metal box metal, or other equally strong material with a tight lid so fitted that it cannot wrapped in thick absorbent

open during transportation.
(c) In addition to the requirements in (a) and (b) of this subdivision, packages erning the transmission of such materials must comply with the regulations gov-

in the domestic mail.
(d) The mailer must place on each package one of the violet labels mentioned in subdivisions (i) and (ii) of

tionea m current this subparagraph.

(c) Individual country prohibitions

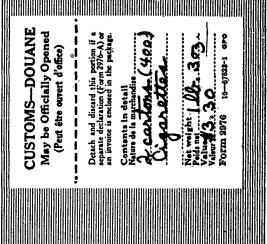
"setrictions. Information as to arand restrictions. Information as to articles prohibited or restricted to individual countries is shown under the various country headings in § 168.5 of this chapter.

8 111.4

table erticles (merchandise); to prints which are dutiable in the country to which they are addressed; and to each small packet. The form is not, under any circumstances, to be employed on parcel post packages, nor are parcel post forms to be used on postal union mail. Facsimiles of the old Form 2976 and the revised form (completed to illustrate the information the sender must supply) are (a) Green (customs) label. A green (customs) label, Form 2976, must be obthe sender to the address side of each tained at the post office and attached by letter or letter package containing dushown below.

When the revised form is used in its entirety, there is no need to enclose the paper form of customs declaration (see However, if the sender prefers not to show the nature of the contents, etc., on the outside of the article, or if for any paragraph (b) of this section) in the package, except in the case of Argentina. reason the use of the revised form in its entirety is not practicable, the upper part of the revised form (detached by cutting along the dotted line) may be affixed to the cover, and customs declaration Form

Revised Form



CUSTOMS Old Form

May Be Officially Opened 5122 (Pout Stre curert d'office) (Dougne) (1 D) 926Z

Documentation.

exhausted.

(b) Paper customs declaration.

Combination packages and articles

grouped together.

Eight-ounce merchandise packages

Small packets.

Printed matter. Matter for the blind. Samples of merchandise.

PART 112—RATES AND GONDITIONS FOR SPECIFIC CLASSES 2976-A enclosed. Old Form 2976 may be used for this purpose until the supply is

AUTHORITY: §§ 112.1 through 112.9 Issued under E.S. 161, as amended, 396, as amended 398, as amended; 5 U.S.C. 22, 369, 372. 112.9 112.7 112.8 paper form of customs declaration (Form 2976-A) is available at post offices for completion by the sender and enclosure within the classes of articles mentioned in paragraph (a) of this section when the description of the contents of the article is not shown on Form 2976 or on an invoice enclosed within the article. described in § 121.6 of this Chapter to be The contents of the article must be indicated in detail on the form. Notations of a general character are not allowed. Form 2976-A is not to be used on parcel post packages, nor are parcel post forms used on postal union articles. The following facsimile illustrates the information required on Form 2976–A:

(a) Rates—(1) Surface. The surface rate for letters and letter packages to Canada and Mexico is 4 cents per ounce. To all other countries it is 8 cents for the § 112.1 Letters and letter packages.

Porm \$876-4 C2	PLACE OF DESTINATION Lieu de destination Rotterdam, Netherlands	1	Observations								anne	customs label (Form	
	FLACE OF D Lieu de d Lterdam,	WEIGHT. Polds	NET OUNCES	Na Onca	6	91		,		3	en) skoma Ave	lon of the green	
	1	WEI Po	GROSS OUNCES	Brut Onces Net Onces	9	18			(Attack in section)	Cieu de destination	(Pep 4s desination) t.s., 7299 Take	n (be apper part 16-54600-	100
	CUSTOMS DECLARATION		VALEUR	•	U.8.5 8 5.00	ος.		n 102	(Street and namber)	(Place of destination) (	Sender: (Comity of destination) (Pers de destination) Sender: (Comity of destination) Lespedireuro Cornellus Blats, 7299 Takonza Avenue	fine (not for purcel post) whe	
UNITED STATES POST OFFICE DEPARTMENT	CUSTOMS 1		Statement of contents Designation du contenu		200 Vitamin B pill	lb. Bird seed	M Jen Ven Dorn	Piet Keinplein 102	Rotterdam	Netherlands (Phew of destination) (Lieu de destination)		all packets	
TATES POST C	FLACE OF ORIGIN Lieu d'expedition Washington, DC, USA	Number of psekages and description of outer packing		Erytes Styles	Package 20	.cl.	 Country of origin or manufacture of the merchandles. Pays d'etière es de foblication de la marchandia.				Washington 166/23, 1455	form is to be enclosed in	
VITED S	river Line	Number of description	E	Numers Nembre	H		Country of or the merchank	NSN			sebingt	Nors.—This	

scribed in Subchapter O-Non Postal (c) Nonpostal documentation. Packages sent in the postal union mail may require one or more of the forms de-Export Regulations.

Norz: The corresponding Postal Manual

first ounce and 5 cents for each additional ounce.

dividual country items in § 168.5 of this For airmail rates, see in-(2) Airmail. Chapter.

(b) Weight limits. The weight limit for letters and letter packages to all countries except Canada is 4 pounds 6 § 112.2 Post cards. ounces; for Canada, 60 pounds.

(c) Dimensions—(1) Maximum dimensions. Maximum length is 24 inches. Maximum length, breadth, and thickness combined is 36 inches. When sent in the form of a roll, the length (the maximum of which may not exceed 32 inches), plus twice the diameter, may not exceed 40 inches.

(2) Minimum dimensions. The address side must measure at least 4 inches in length and 234 inches in width. When in the form of a roll, the length may not be less than 4 inches, or the length plus twice the diameter may not be less than 63/4 inches. Articles having lesser dimensions are accepted on condition that a rectangular address tag is attached whose length plus width measure not less than 61/4 inches, with the shorter side not less than 11/2 inches.

(d) Restrictions. Letters and letter packages shall not contain any documents having the character of actual personal correspondence addressed to persons other than the addressee or persons living with the addressee.

(e) Dutiable contents—(1) Mailabil-ity. Articles liable to customs duty (merchandise) may be forwarded in letters or letter packages, except to the following countries:

Bolivia. Brazil (see note). China. Colombia. Estonia (see note). Hungary (see noté). Italy (see note). Japan (see note). Latvia (see note) Lithuania (see note).

Rumania. Ryukyu Islands. Saudi Arabia. Spanish Guinea. Spanish West Africa. Union of Soviet Socialist Republics (see note). Venezuela.

Note: See individual country items in § 168.5 of this chapter concerning conditions under which certain articles are permitted in letters and letter-packages.

(2) Customs label to be attached. The sender must complete and fix to the address side of such article the green (customs) label, Form 2976, referred to in § 111.4(a) of this chapter. If he knows that the contents of the package are not dutiable, he may, if he prefers, omit Form 2976. Acceptance for mailing will then be at his risk, and the Post Office Department will assume no responsibility for the treatment that may be given the article by the foreign customs authorities. Omission of this form may, however, result in delayed delivery and possible penalties against the addressee, regardless of whether the contents are dutiable or not. Special restrictions exist with respect to certain countries.

(3) Acceptance of sender's risk. letter or package containing merchandise offered for mailing to one of the countries named in paragraph (e)(1) of this section may be accepted only on condition that the sender knows that the contents are not dutiable in the country of destination, in which case Form 2976 may be omitted.

(f) Endorsement. Senders should add the words "Letter" (lettre) on the address side of letters and letter packages which, because of their size or manner of preparation, may be mistaken for matter of another class.

(a) Rates—(1) Surface. Canada and Mexico, 3 cents single; reply-paid, 3 cents each half. All other countries, 5 cents single; reply-paid, 5 cents each half.

(2) Airmail. Canada and Mexico, 5 cents single; reply-paid, 7 cents on message half, 3 cents on reply half. St. Pierre and Miguelon, 8 cents single: reply-paid, 8 cents on message half, 5 cents on reply half. All other countries, 10 cents single; reply-paid, letter rate (10, 15, or 25 cents) on message half and 5 cents on reply half. There is no provision whereby the reply half may be prepaid for return to the United States by airmail. See § 131.3(c) of this chapter regarding prepayment of foreign reply-paid cards to be transmitted to other countries by airmail.

(3) Other rates. Letter rates (surface or air) or printed matter rates, according to the nature of the card, apply to all double cards without prepaid reply. The same rates apply to all cards exceeding the prescribed maximum dimensions.

(b) Dimensions. Maximum dimensions, 6 by 41/4 inches. Minimum dimensions, 4 by 23/4 inches.

(c) Requirements—(1) Form. Post cards shall be made of cardboard that meets the material and color specifications in § 21.2(a) (7) of this chapter or of paper strong enough to withstand handling. Government postal cards may be used, adding postage as required. Folded sheets of paper having the two inner faces glued completely one over the other, so that there is no danger of other articles slipping inside, are treated as post cards. No writing is allowed on the inside of the two halves which must be firmly glued together and conform to the dimensions prescribed in paragraph (b) of this section.

(2) Preparation, addressing and mailing. Post cards shall be sent unenclosed, without wrapper or envelope. The right half, at least, of the address side is reserved for the address of the addressee and the notations or labels relating to the service. The sender may use the back and the left half of the address side. Postage must appear on the address side, in the upper right corner of the card; otherwise, the card is treated as unprepaid.

(3) Attachments. Do not join or attach samples of merchandise or similar articles to post cards. However, illustrations, photographs, stamps of any kind, labels and clippings of any kind, of paper or other very thin material, as well as address labels or slips to be folded back, may be glued thereto, on condition that they do not alter the character of the post cards and that they adhere completely to the card. These articles may be glued only on the back or left half of the address side of the card, except address labels or slips which may occupy the entire address side. Stamps of any kind, likely to be confused with postage stamps, may be placed only on the back.

(d) Reply-paid cards—(1) Availability. Reply-paid postal cards, bearing the required endorsements and imprinted postage are available at post offices. The domestic reply-paid postal card shall not

be used in international mails, except that it may be used to Canada and Mexico after adding the headings prescribed in paragraph (d)(2) of this section for private cards.

(2) Private cards. Double cards which are privately prepared for use as replypaid cards shall have on the front, in the French language, as the heading of the first or message part, the words "Carte postale avec réponse payée "(post card with reply paid), and the words "Carte postale réponse" (reply post card) as the heading on the second or reply part. Each of the two parts must fulfill the other conditions laid down for a single card. Prepayment of the two halves shall be by means of United States postage stamps (3 cents for Canada and Mexico and 5 cents for other countries) affixed to each half.

(3) Preparation and mailing. two parts of a reply-paid card are folded one part over the other, so that the fold forms the upper edge, and they may not be sealed in any manner. Prepare the card so that when it is folded the address of the addressee is on the part bearing the words "Carte postale avec réponse payée", and the address on the reply part is folded on the inside. The sender may have printed on the back of the reply half a questionnaire to be filled in by the addressee. The latter may return the inquiry half attached to the reply-portion, in which case the address on the inquiry half is crossed out and folded on the inside of the card.

(4) Validity of postage. The prepayment of the reply by means of United States postage is valid only if the card is addressed to this country. If this condition is not met, it is treated as an unprepaid post card.

(5) Foreign cards. See § 111.2(f) of this chapter.

#### § 112.3 Commercial papers.

(a) Rates-(1) Surface. Surface rate for commercial papers for all countries is 4 cents for the first 2 ounces and 2 cents for each additional 2 ounces or fraction of 2 ounces. Minimum charge is 10 cents.

Airmail. For airmail rates, see **(2)** individual country items in § 168.5 of this chapter.

(b) Weight limit. Weight limit for commercial papers is 4 pounds 6 ounces.

(c) Dimensions. Maximum and minimum dimensions are the same as for letters and letter-packages. See § 112.1 (c) of this chapter.

The following are (d) Description. considered commercial papers, provided they do not have the character of actual and personal correspondence:

(1) All papers and documents, wholly or partly written or drawn, such as out-of-date articles of correspondence (opened letters and post cards, even though they bear canceled postage stamps or postage paid impressions which have served to pay the original postage) which have already reached their original destination, and copies thereof.

(2) Papers of legal procedure.

(3) Documents of all kinds drawn up by ministerial officers.

- (4) Waybills or bills of lading.
- (5) Invoices.
- (6) Certain documents of insurance companies.
- (7) Copies of or extracts from documents under private seal written on stamped or unstamped paper.
- stamped or unstamped paper.

  (8) Scores or sheets of music in manuscript.
- (9) Manuscripts of literary works or of newspapers sent separately.
- (10) Original and corrected exercises of students, without any notes not relating directly to the execution of the work.
- (11) All articles (even when they have the character of actual and personal correspondence) containing correspondence exchanged between students in schools: *Provided*, That such articles are sent through the intermediary of the heads of the schools concerned.
- (e) Permitted enclosures. The documents enumerated in paragraph (d) of this section may be accompanied by reference slips or memoranda bearing notations showing the number of the pieces composing the shipment, or references to correspondence exchanged between the sender and addressee, such as: Enclosure to our letter of _______ Our reference dedressed to _______ Our reference ______
- (f) Preparation and marking. Envelopes or packages containing commercial papers must not be sealed. The sender must mark the address side of the envelope or package Commercial Papers.

#### § 112.4 Printed matter.

- (a) Rates—(1) Surface. Surface rates for printed matter to all countries are 4 cents for the first two ounces and 2 cents for each additional 2 ounces or fraction of 2 ounces, except as follows:
- (i) Books and sheet music. The rates on permanently bound books having at least 22 printed pages and containing no advertising other than incidental announcements of other books and on printed sheet music are:
- (a) To Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, Guatemala, Haiti, Republic of Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, El Salvador, Uruguay, and Venezuela—2 cents for the first 2 ounces and 1 cent for each additional 2 ounces or fraction.
- (b) To all other countries—3 cents for the first 2 ounces and 1½ cents for each additional 2 ounces or fraction.
- (ii) Second-class publications. The rates on publications entered as second class, when mailed by the publishers or by registered news agents, are:

(a) To Canada—

	Jan. 1,	Jan. 1,	Jan. 1,
	1959	1960	1961
Nonadvertising portion (per pound)	Cents 2.1 7.7	Cents 2. 3 8. 7 38	Cents 2.5 40.0

Note: No separate rates are provided for nonprofit publications or for classroom publications, and the key rate method of computing postage on the advertising portion may not be used. The rate of 4 cents for the first 2 ounces and 2 cents for each additional 2 ounces or fraction applies to copies not entitled to the pound rates.

(b) To PUAS countries (see § 101.2 of this chapter) other than Canada—2 cents for the first 2 ounces and 1 cent for each additional 2 ounces; except that the rates for special rate publications, as described in § 22.1(b)(2) of this chapter, are:

	Jan. 1,	Jan. 1,	Jan. 1,
	1959	1960	1961
First 2 ounces Each additional 2 ounces	Cents 1/2 1/2	Cents 1 1	Cents 2 1

- (c) To all other countries—3 cents for the first 2 ounces and  $1\frac{1}{2}$  cents for each additional 2 ounces or fraction.
- (2) Airmail. Airmal rates are shown under individual country items in § 168.5 of this chapter.
- (b) Weight limits. Printed matter in general is subject to a weight limit of 6 pounds 9 ounces, and printed books to a limit of 11 pounds. The following exceptions apply:
- (1) To Paraguay and Peru the weight limit is 11 pounds.
- (2) To Argentina, Bolivia, Brazil, Spain (including Balearic Islands, Canary Islands, and Spanish offices in Northern Africa), Spanish Guinea and Spanish West Africa the weight limit is 22 pounds.
- (3) To Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, Guatemala, Haiti, Republic of Honduras, Mexico, Nicaragua, Panama, El Salvador, Uruguay, and Venezuela the weight limit is 33 pounds.
- (4) A single volume may weigh up to 22 pounds when addressed to Paraguay or Peru.
- (5) Packages of second-class publications mailed to Canada at the postage rates presribed in paragraph (a) (1) (ii) of this section may weigh up to 66 pounds.
- (c) Dimensions. Maximum and minimum dimensions are the same as for letters and letter packages. See § 112.1(c) of this chapter.
- (d) Description. (1) General definition. The term "printed matter" applies to all impressions, or reproductions obtained upon paper, or materials similar to paper, parchment, or cardboard, by means of printing, engraving, lithography, photography, or any other easily recognizable mechanical process, with the exception of the copying press, stamps with movable or immovable type, and the typewriter. See § 112.5 of this chapter concerning raised print for the blind.
- (2) What is admissible as printed matter. The following are admitted as printed matter:
  - (i) Newspapers and periodicals.
- (ii) Books and pamphlets, including those composed of sheets produced by mimeograph, multigraph, or other similar process, whether or not permanently bound or furnished with covers of cardboard or other material.
  - (iii) Sheet music.
- (iv) Visiting cards, address cards, greeting eards.
- (v) Printing proofs (with or without the relative manuscripts).

- (vi) Unframed photographs, engravings.
- (vii) Albums containing photographs. (viii) Printed pictures, drawings, plans, maps.
  - (ix) Patterns to be cut out.
- (x) Calendars (except calendar pads with blank pages for memoranda).
- (xi) Catalogs, prospectuses, advertisements.
  - (xii) Notices.
- (xiii) Matrices of material similar to paper or cardboard.
- (xiv) Communications in the form of reproductions of handwriting or type-writing obtained by means of the printing press, mimeograph, multigraph, or similar mechanical process are acceptable as printed matter provided a minimum of 20 identical copies are mailed at one time.
- (3) Not admissible as printed matter. The following are not acceptable at the printed matter rate:
- (i) Printed papers which bear any marks whatever capable of constituting a conventional language or with the additions specifically authorized by subparagraph (4) of this paragraph, those of which the text has been modified after printing.
- (ii) Stamps or forms of prepayment, canceled or not, including Internal Revenue strip stamps, and all printed papers representing a monetary value.
- (iii) Articles of stationery, when it appears clearly that the printed text is not the essential part of the article.
- (iv) Framed photographs and certificates.
  - (v) Photographic negatives and slides.
  - (vi) Films.
- (vii) Phonograph records, and perforated papers intended to be used on automatic musical instruments.
- (viii) Disc or wire recordings of correspondence, etc.
- (ix) Cards bearing the title "Post Card". These must be mailed as post cards, if they comply with the conditions prescribed for post cards, or as letters.
- (x) Bulk shipments of printed envelopes, letterheads, billheads, calendar pads, and similar articles, as well as diaries (books), check books, greeting cards or folders, and the like, which, although containing some printed matter, such as dates, headings, etc., have blank spaces or pages in which entries are to be made in manuscript or on the typewriter. Check books to Great Britain and Northern Ireland must be sent exclusively in the letter mails.
- (xi) Typewritten matter, or carbon copies thereof, except as authorized in subparagraphs (4) and (5) of this paragraph.
- (4) Permitted additions. The following additions may be made, either by hand or by mechanical process, on the outside or inside of printed articles:
- (i) The name, title, profession, firm, and address of the sender and the addressee; the date of mailing; the signature; telephone or teletype number and exchange; telegraphic address and code; current postal check or bank account of the sender; an order or entry number relating exclusively to the article.
- (ii) Corrections of mistakes in printing.

(iii). Striking, underlining, or encircling of certain words or passages of the printed text, unless it gives the text the character of personal correspondence.

(iv) On notices concerning the departure and arrival of ships and planes: the dates and time of such departures and arrivals, as well as the names of the ships, planes, and ports of departure, call and arrival.

(v) On travelers' announcements: the name of the traveler, the date, time, and name of the place through which he contemplates passing as well as the place

where he is stopping.

(vi) On order, subscription, or offer blanks for publications, books, newspapers, engravings, and pieces of music: the publications and number of copies ordered or offered the prices of such publications, as well as notations representing price factors, terms of payment, the edition, the names of the authors or publishers, the catalog number and the words "broché" (stitched or paperbound), "cartonné" (boards) or "relié" (bound).

(vii) On forms used in connection with loans from libraries: the titles of books, number of copies requested or sent, names of authors or publishers, catalog numbers, number of days permitted for reading, name of person desiring to consult the book, other brief indications relating to the books in question.

(viii) On illustrated cards, printed visiting cards, and Christmas and New Year cards: good wishes, greetings, congratulations, thanks, condolences, or other forms of politeness expressed in not more than five words or by means of not more than five conventional initials.

- (ix) On printing proofs: such changes and additions as relate to the correction, form and printing, notes such as Ready for printing, O.K. for printing, or any similar note relating to the preparation of the work. In case of lack of space, the additions may be made on separate sheets.
- (x) On fashion plates, maps, etc.: the colors.
- (xi) On current price lists, offers for advertisements, market and stock quotations, commercial circulars and prospectuses: figures and any other annotations representing price factors.
- (xii) On books, pamphlets, newspapers, photographs, engravings, sheet music, and in general, on all printed, engraved, lithographed, or autographed literary or artistic productions: a dedication consisting of a simple tribute; and on photographs or engravings, a very concise explanatory legend as well as other summary information concerning the photograph or engraving itself.

(xiii) On passage cut from newspapers and periodicals: the name, date, number, and address of the publication from which the article is taken.

(xiv) An order or entry number relating exclusively to the articles contained in the package.

(xv) On notices of change of address: the old and the new address and the date of the change.

(5) Permitted attachments. Articles sent as prints may have the following attachments:

(i) The manuscript to corrected or uncorrected printing proofs.

(ii) To books, pamphlets, newspapers, photographs, engravings, sheet music, and, in general, all prints and engraved, lithographed, or autographed literary or artistic productions: an open invoice covering the article sent, reduced to its essential terms. There may also be enclosed with books a printed circular relating to the accompanying book or containing announcements of other books, and an order form.

(iii) A card, envelope or wrapper bearing the address of the sender which may be prepaid for return by means of postage stamps of the country of destination of the article of printed matter. Do not include a United States domestic business reply card or envelope.

(iv) Cut-out patterns which are marked to show that they are an integral part of a fashion magazine with which

they are mailed.

- (e) Preparation and mailing-(1) Wrapping and closing. Prints must be placed either under wrapper, in rolls, between cardboard, in an open case, or in an unsealed envelope, provided, if need be, with easily removable fasteners offering no danger, or be fastened with a string which can be easily united. Articles of printed matter should not be prepared in such a manner as to allow other articles to slip into them. Prints of the shape and consistency of a card (unfolded or folded only once) may be mailed without wrapper, envelope, or fastener. Do not seal articles mailed at printed matter rates.
- (2) Marking. Senders, must place an endorsement on the address side of envelopes, cards, or packages to be mailed at printed matter rates so that the nature of the article can be readily associated with the appropriate rate of postage. The prescribed endorsements are as follows:
- (i) Printed matter—books or printed matter—sheet music, for books or sheet music to be mailed at the rates stated in paragraph (a) (1) (i) of this section. If a single volume is enclosed in a package exceeding the weight limit for prints in general, mark the package Printed Matter—Book (Single Volume).
- (ii) Printed matter—second class or the domestic second-class imprint prescribed in § 22.2(e) (7) of this chapter, for second-class publications to be mailed by the publishers or by registered news agents at the rates stated in paragraph (a) (1) (ii) of this section, except those addressed to Canada. Second-class publications enclosed in envelopes (unsealed) to be mailed at pound rates to Canada must be identified in the manner prescribed in § 16.2(f) of this chapter.
- (iii) Printed matter, for mail that does not qualify for one of the reduced rates stated in paragraph (a) (1) (i) and (ii) of this section
- (3) Prepayment—(i) Postage on all printed matter, except second-class for Canada (see subdivision (ii) of this subparagraph), must be paid in the manner prescribed in § 111.2(b) of this chapter. This means that postage stamps, meter stamps, or permit im-

prints, showing the amount of postage on each piece must be used.

(ii) Postage on second-class publications for Canada entitled to pound rates stated in paragraph (a) (1) (ii) (a) of this section may be paid in the manner prescribed in § 16.6(f) of this chapter. Publishers and registered news agents must report the Canadian copies on a separate Form 3542 "Statement Showing Number of copies of Second-Class Publication mailed." Since the advertising portion of all second-class publications to Canada is subject to the advertising rate stated in paragraph (a) (1) (ii) (a) of this section, publishers or news agents must submit a marked copy to show the advertising portion, for use of the post office in computing the postage charges. See § 16.5(a) of this chapter.

(4) Mailing. Except in the case of second-class publications mailed to Canada at the rates of postage stated in paragraph (a) (1) (ii) (a) of this section, newspapers, periodicals, or other articles of printed matter addressed to several different subscribers or addressees must not be enclosed in the same package with postage stamps affixed only to the outside wrapper of the package. However, several newspapers, periodicals, or other articles of printed matter, without separate address, may be enclosed in the same package. Unless otherwise specified in this chapter, the conditions applying to second-class matter mailed domestically apply also to such matter for Canada.

(5) Return request. Senders desiring that ordinary (unregistered) prints be returned if they prove to be undeliverable as addressed must place on the package their return address and a notation, in a language known in the country of destination, requesting its return.

(6) Dutiable prints. Prints known to be dutiable in the country to which they are addressed should have a green (customs) label, Form 2976 "Authority for Customs To Open International Mail", fixed to the address side of the article, (See paragraph (a) of this section.) Senders may obtain information as to rates of duty from the Bureau of Foreign Commerce, Department of Commerce, Washington 25, D.C., or from any field office of that Department.

(f) Direct sacks of prints. Publishers and news agents sending printed matter abroad in quantity may prepare direct sacks containing ordinary (unregistered) packages of books or other printed matter all addressed to one addressee under the following conditions:

(1) The minimum amount that may be mailed in a direct sack is 30 pounds; maximum per sack, 60 pounds.

- (2) Each package enclosed in a direct sack must bear the name and address of the sender and addressee, and must not be sealed. The packages enclosed in such sacks need not conform to the weight limits and dimensions prescribed in paragraphs (b) and (c) of this section.
- (3) An address tag or label showing the name and address of the mailer and of the addressee must be attached to the neck of the sack by means of heavy twine. Postage is calculated on the total weight of each individual sack and its

contents and must be prepaid by means of postage stamps or meter stamps affixed to the address tag or label. The label holder of the sack is used by the post office for insertion of the proper post office label.

(4) The local post office will furnish the necessary string sacks as they are

needed.

(5) If a mailer has several sacks for the same addressee, the address tag on each sack must be marked with an identifying fractional number in the manner prescribed in § 121.7(b) of this chapter for group shipments of parcel-post packages.

#### § 112.5 Matter for the blind.

- (a) Rates—(1) Surface. Surface rates are the same as domestic mail rates for Matter for the Blind. (See Part 28 of this chapter.)
- (2) Airmail. For airmail rates, see country items in § 168.5 of this chapter.
  (b) Weight limit. Weight limit is 15

pounds 6 ounces.

(c) Dimensions. Maximum and minimum dimensions are the same as for letters and letter-packages. See § 112.1

(c) of this chapter.

- (d) Description. The matter acceptable in domestic mail under the provisions of Part 28 of this chapter is generally acceptable to other countries as Matter for the Blind, provided it does not exceed the international size and weight limits. Plates and special paper for embossing blind literature are accepted under the conditions applicable to the category of Reproducers for Sound Reproduction Records and Appliances for the Blind at the 1 cent per pound rate. Other items in that category, and matter for the blind exceeding the prescribed international size and weight limits, must be mailed as parcel post or under some other international mail classification.
- (e) Preparation and marking. Matter for the blind must be mailed in unsealed envelopes or wrappers. The words "Matter for the Blind", or the markings prescribed in Part 28 of this chapter must be placed on the address side. The word Free must appear in the upper right corner of articles that are acceptable free of postage.

#### § 112.6 Samples of merchandise.

(a) Rates—(1) Surface. Surface rate for samples of merchandise is 4 cents for the first 2 ounces and 2 cents for each additional 2 ounces or fraction. Minimum charge is 10 cents.

(2) Airmail. For airmail rates, see individual country items § 168.5 of this

chapter.

(b) Weight limit. Weight limit is 18 ounces.

(c) Dimensions. Maximum and minimum dimensions are the same as for letters and letter-packages. See § 112.1(c)

of this chapter.

(d) Description. The following are admitted at the sample rate: Electrotypes; single cut-out patterns; keys sent singly; fresh cut flowers; articles of natural history (dried or preserved animals and plants, geological specimens, etc.); tubes of serum and vaccine; medicaments of urgent need difficult to ob-

tain. These articles, except tubes of serum and vaccines, and medicaments of urgent need difficult to obtain, sent in the general interest by laboratories, or institutions officially recognized, must not be sent for commercial purposes.

- (e) Prohibited contents. Packages containing samples of merchandise shall not contain any article of salable value. Goods sent as gifts or in execution of an order, no matter how small the quantity, are not transmissible at the postage rates and conditions applicable to samples of merchandise. Except as provided in paragraph (f) of this section samples of merchandise must not bear any notation or contain any document having the character of actual personal correspondence, nor contain any postage stamps, any canceled or uncanceled form of prepayment, or any paper representing a value. Pairs of articles, such as gloves, shoes, socks, etc. (but not suspenders or drawers), are not transmissible by mail to other countries at the postage rates and conditions applicable to samples of merchandise, but one article of a pair may be so transmitted.
- (f) Permitted notations. The mailer may indicate, by hand or by a mechanical process, on the outside or on the inside of packages of samples and, in the latter case, on the sample itself or on a special sheet relative thereto: the name. title, profession, firm, and address of the sender and the addressee, as well as the date of mailing, the signature, telephone or teletype number and exchange, telegraphic address and code, current postal check or bank account of the sender, a factory mark or trade mark, a brief indication concerning the manufacturer and the jobber of the merchandise or concerning the person to whom the sample is addressed, as well as order or entry numbers, prices and any other annotations representing price factors, particulars relative to weight, measurement and size, or to the quantity to be disposed of, and such as are necessary to determine the origin and character of the goods.
- (g) Packing and marking—(1) General. Samples of merchandise must be made up in such a way that they can be easily inspected. They shall be placed in bags, boxes, or wrappers which are unsealed or which have a removable fastener. No packing is required for articles consisting of a single piece, such as pieces of wood, metal, etc., which it is not customary to pack in commercial usage, on the condition that the address and the postage stamps be placed on a tag if necessary. However, the address must always be reproduced on the article itself, in the absence of which packing is required. The sender must mark the address side of the article or package 'Sample of Merchandise".
- (2) Packing requirements for certain articles—(i) Glass. Articles of glass or other fragile materials must be securely packed (in boxes of metal, wood, or strong corrugated cardboard), so as to avoid all danger to postal employees and the mails.
- (ii) Liquids, oils, etc. Liquids, oils, and substances which easily liquefy must be enclosed in hermetically sealed receptacles. Each receptacle must be placed in a separate box of metal, strong

wood or strong corrugated cardboard containing enough sawdust, cotton, or spongy material to absorb the liquid in the event of breakage of the receptacle. The cover of the box must be fastened in such a way that it cannot be easily detached.

(iii) Fatty substances. Fatty substances which do not easily liquefy, such as ointments, soft soap, resin, etc., as well as silkworm eggs, the transmission of which presents fewer difficulties, must be enclosed in an inside cover (box, canvas bag, parchment, etc.), which must itself be placed in a second box of wood, metal, or stout, thick leather.

(iv) Dry powdered dyes. Dry powdered dyes such as aniline, etc., are not admitted unless enclosed in stout tin boxes, placed in turn inside woden boxes, with sawdust between the two packings; dry noncoloring powders must be placed in boxes of metal, wood, or cardboard. These boxes themselves must be enclosed in a canvas bag or parchment.

(v) Live organisms. Live bees, leeches, silkworm eggs, and parasites and predators of injurious insects intended for the control of such insects and exchanged between officially recognized agencies shall be enclosed in boxes so constructed as to avoid all danger.

(vi) Deteriorating articles. Articles which would deteriorate if packed in accordance with the general rules (as well as samples placed in transparent containers permitting verification of their contents) may, as an exception, be admitted in hermetically sealed containers. The same applies to samples of industrial or vegetable products mailed under seal by the factory or sealed by the inspection authorities of the country of origin. In such cases, the postal administration concerned may require the sender or the addressee to facilitate the verification of the contents either by opening certain articles indicated by them or in some other satisfactory manner.

#### § 112.7 Small packets.

(a) Rates — (1) Surface. Surface rate for all countries accepting small packets is 4 cents for each 2 ounces or fraction. Minimum charge, 20 cents per packet.

(2) Airmail. For airmail rates, see individual country items § 168.5 of this chapter.

(b) Weight limit. Weight limit for small packets is 2 pounds 3 ounces.

(c) Dimensions. Maximum and minimum dimensions are the same as for letters and letter-packages. See § 112.1 (c) of this chapter.

(d) Description. Small packets offers a convenient and economical means for the transmission of small quantities of merchandise to those countries which admit this class of postal union mail.

(e) Preparation and marking. Small packets may not be sealed. They are subject to the provisions applicable to samples of merchandise with respect to preparation and packing. (See § 112.6 (g) of this chapter.) The sender must mark the address side of the packet Small Packet, or its equivalent in a language known in the country of destina-

tion—petit paquet (French), pequeño paquette (Spanish), päckchen (German).

(f) Documentation. Small packets, whether or not they are subject to customs inspection, must bear the green (customs) label, Form 2976 "Authority for Customs to Open International Mail." See § 111.4(a) of this chapter.

(g) Enclosures—(1) Permitted enclosures. A simple invoice, and a slip showing the names and addresses of the sender and addressee of the packet may be enclosed.

(2) Prohibited enclosures. Small packets may not contain any letter, note or document having the character of actual personal correspondence; coins, bank notes, paper money, postage stamps canceled or uncanceled, or any values payable to the bearer; platinum, gold, or silver, manufactured or unmanufactured; precious stones, jewelry, or other precious articles. The term jewelry is defined in § 111.3(a) (6) of this chapter.

(h) Countries not accepting. Small packets are not accepted by the following countries:

Azores. Latvia. Bechuanaland Pro-Lithuania. tectorate. Macao. Bulgaria. Madeira Islands. Burma. Nepal. Pakistan. Cambodia. Canada. Panama. Cape Verde Islands. Paraguay. Chile. Peru. Portugal. China. Colombia. Portuguese East Cuba. Africa. Portuguese India. Egypt. Estonia Portuguese Timor. Portuguese West Finland. Gilbert and Ellice Africa. Islands Colony. Rumania. Guatemala. South-West Africa. Haiti. Sudan. Iceland. Union of South India. Africa. Union of Soviet So-Iraq. Italy. cialist Republics. Vatican City State. Korea Vietnam Labuan.

#### § 112.8 Eight-ounce merchandise packages.

(a) Rates—(1) Surface. The surface rate is 4 cents for each 2 ounces or fraction. Minimum charge, 10 cents per package.

(2) Airmail. For airmail rates, see individual country items § 168.5 of this chapter.

(b) Weight limit and dimensions. The weight limit is 8 ounces. Maximum and minimum dimensions are the same as for letters and letter-packages. (See § 112.1(c) of this chapter.)

(c) Description. This class of international mail provides a means of sending small quantities of merchandise to certain Western Hemisphere countries that do not admit small packets. (See § 112.7 (h) of this Chapter.) The rates of postage are lower than for parcel post, and the packages are treated in all respects as postal union mail.

(d) Preparation and documentation. Eight-ounce merchandise packages must not have customs declarations attached and generally must not be sealed. However, when addressed to Canada they may be sealed if marked "May be opened for postal inspection if necessary,"

(e) Countries for which accepted. Eight-ounce merchandise packages are accepted only to the following countries:

Canada. Haiti.
Chile. Panama.
Colombia. Paraguay.
Cuba. Peru.
Guatemala.

#### §112.9 Combination packages and articles grouped together.

(a) Combination packages—(1) Definition. Combination packages are packages made up of two parts, firmly attached together, both addressed for delivery to the same addressee, and consisting of (i) a sealed envelope containing a written or printed communication; and (ii) an unsealed container, with samples of merchandise or printed matter enclosed.

(2) Rates. Each part of a combination package must be fully prepaid at the appropriate rate of postage.

(3) Countries for which accepted. The

following countries accept combination packages in the ordinary mail only, except as noted:

Republic of Hon-Austria. duras (registered Bolivia. only). Brazil. British Guiana. Iceland. British Honduras. Jamaica. Bulgaria. Mexico. Nicaragua. Canada. Colombia. Norway. Panama (Rep. of) Denmark. Dominican Republic Philippines. Poland. (ordinary or regis-Rumania tered). Faroe Islands. El Salvador. Sweden. Greenland. Haiti. Turks Islands.

(b) Articles grouped together—(1) Grouping permitted. A single package may contain commercial papers, samples of merchandise, and/or printed matter subject to the following conditions:

(i) Each article taken singly must not exceed the limits of weight applicable to it.

(ii) The total weight must not exceed 4 pounds 6 ounces per package if it consists solely of commercial papers and samples.

(iii) The weight limit is raised to 6 pounds 9 ounces if the package also contains prints, but in such case the total weight of the commercial papers and samples must not exceed 4 pounds 6 ounces.

(iv) The dimensions of the package must not exceed those of letters.

(2) Rates. Postage will be charged at the rate of 10 cents for the first 8 ounces and 2 cents for each additional 2 ounces or fraction. The initial 10-cent rate reflects the minimum charge applicable to packages or envelopes containing commercial papers and/or samples for transmission by surface mail. For airmail rates see individual country items in § 168.5 of this chapter.

Nore: The corresponding Postal Manual Part is 222.

#### PART 113—TREATMENT OF OUT-GOING POSTAL UNION MAIL

Sec. 113.1 Postmarking. 113.2 Shortpaid and unpaid. Sec.

113.3 Improperly prepared.

113.4 Forwarding.

113.5 Return.

AUTHORITY: §§ 113.1 through 113.5 issued under R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372.

#### § 113.1 Postmarking.

The post office of mailing will post-mark the postal union mail.

#### § 113.2 Shortpaid and unpaid.

(a) Surface mail. Post offices will eturn all shortpaid or unpaid postal union articles to the sender for postage. If the sender is not known, the articles will be sent to the proper dead letter branch for treatment, except post cards and letters in their usual form which shall be dispatched to the appropriate exchange office for rating and dispatch to destination. Transit offices shall not make a systematic search for shortpaid articles.

(b) Airmail. (1) Post offices will return the following to the sender for

postage:

(i) All articles observed at the office of mailing with return address at the office of mailing.

(ii) Unregistered articles weighing 4 ounces or less observed at the office of mailing but with return address at another office. Return will be by air if practicable.

(iii) Unregistered articles weighing 4 ounces or less observed in transit to exchange office. Return will be by air if practicable. No systematic search is to be made for such articles.

(2) All other airmail will be dispatched to appropriate exchange office for treatment. Dispatch will be by air, except for articles without return address which are prepaid less than 75 percent of required postage. In the latter case, obliterate airmail markings and dispatch by surface.

(c) Credit for postage already affixed. Credit will be allowed for postage already affixed in figuring correct amount on articles returned for postage.

(d) Reported by exchange office. When shortpaid registered articles (surface or air) are observed at exchange offices, the deficient postage is placed on the articles by the exchange office and the articles dispatched to destination. Form 2947-A, "Notice to Mailer of Irregularities in International Mail", is sent requesting that the deficiency be supplied to the exchange office.

#### § 113.3 Improperly prepared.

(a) Insufficient address. Post offices will not return articles to senders if they are not addressed as prescribed in §111.1 (b) of this chapter, provided the country of destination is legibly written, but will dispatch them to the exchange office for decision as to the sufficiency of the address. New postage must be paid on articles remailed with corrected addresses after being returned from other countries.

(b) Oversized post cards. Post offices will return oversized post cards (those exceeding 6 x 4½ inches) to senders, if known, unless they qualify as prints. If sender is not known, they will be dis-

patched to the exchange office for handling as letter mail.

(c) Undersized articles. Post offices will return to the senders, if known, any articles that are less than the prescribed minimum size (4 x 2¾ inches) and are not prepared as provided under § 112.1 (c) (2) of this chapter. If the sender is not known, dispatch the article to the dead letter office.

(d) Meter stamps. The Universal Postal Convention prescribes that meter stamps are to be bright red in color. (See § 111.2(b) of this chapter.) Although the use of red color for meter stamps or international mail should be encouraged, articles bearing those of other colors are to be allowed to go forward.

#### § 113.4 Forwarding.

(a) International. Articles will generally be forwarded to a new address of the addressee, even in a third country, or back to the United States. The sender may forbid forwarding by a notation on the envelope or wrapper in a language understood in the country to which addressed.

(b) Domestic. Unregistered letters (except those which appear to contain merchandise) and post cards are the only domestic mail articles permitted to be redirected to another country. They are forwarded by surface means without prepayment of additional postage. Credit is allowed for the postage already on the articles, and only the deficiency is collected on delivery. Articles are forwarded by air only if the required additional postage is prepaid

(c) Ship passenger and crew mail-(1) As an alternative to the provisions of paragraphs (b) of this section and § 114.3(b) of this chapter, ordinary (unregistered) articles of correspondence (except those which appear to contain merchandise) addressed to crew members or passengers on board a ship may be forwarded in the international mail. by surface or air, in one envelope addressed to a ship or travel agency under the following conditions:

(i) The envelope in which the articles are to be forwarded shall be approximately 9 inches by 6 inches in size, and shall be supplied by the sender. Do not put postage on this envelope but place the following endorsement in the upper right corner of the envelope:

THIS ENVELOPE CONTAINS PREPAID LETTERS FOR-WARDED IN BULK BY AUTHORITY OF ASSISTANT POSTMASTER GENERAL, BUREAU OF TRANSPORTA-ANY REQUIRED ADDITIONAL INTERNA-TIONAL POSTAGE HAS BEEN AFFIXED TO THE ARTI-CLES ENCLOSED.

(ii) The envelope must be presented unsealed at the mailing office for check of the contents. Any additional postage required must be paid on each of the articles enclosed, as follows:

(a) Articles of United States origin. Pay on each article the difference between the postage already paid and the appropriate international rate (surface or air) to the new country of destination.

(b) Articles originating in other countries. If envelope is to be forwarded by air, place full air postage from the United States to the new country of destination on each article enclosed. No additional postage is required if the envelope is to be forwarded by surface means.

(iii) If the envelope is intended to be transmitted by air, place a blue Par Avion/By Air Mail label 55 in the upper left corner of the envelope immediately below the return address of the sender.

(iv) The total weight of the forwarding envelope and its contents is limited to 18 ounces.

(2) The accepting employee must check the envelope to see that any necessary additional postage has been paid on each article, cancel any additional postage placed on the articles, and seal the envelope. The accepting employee will apply the office date stamp and his initials immediately below the sender's endorsement prescribed in subparagraph (1) (i) of this paragraph.

#### § 113.5 Return.

(a) Articles will generally be returned to the sender if delivery cannot be made. Printed matter of no apparent value is not returned unless the sender has complied with § 112.4(e) (5) of this chapter.

(b) The reason for nondelivery of returned articles may be indicated in French or Spanish, the most usual expressions being the following:

Ausente (Sp.) Gone away.

Décédé (Fr.) Deceased.

Desconocido (Sp.) Unknown. Devuelva a remitente Return to sender. (Sp.).
Fallecido (Sp.) _____ Deceased. Inconnu (Fr.) Unknown.
Non réclamé (Fr.) Unclaimed. No reclamado (Sp.) ____ Unclaimed. Parti (Fr.) Gone away. Refusé (Fr.) Refused. Rehusado (Sp.)_____ Refused. Retour à l'expéditeur Return to sender. (Fr.)

Note: The corresponding Postal Manual Part is 223.

#### PART 114—TREATMENT OF INCOM-ING POSTAL UNION MAIL

Sec.

114.1 Charges.

Foreign marking instead of stamps.

114.3 Forwarding.

114.4 Undeliverable articles.

AUTHORITY: §§ 114.1 through 114.4 issued under R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372.

#### § 114.1 Charges.

(a) Customs clearance and delivery fees. (1) Post offices will collect a fee of 13 cents from the addressee of every postal union article, other than a small packet, on which they collect customs duty or internal revenue tax is collected. On every small packet on which is collected, duty or revenue tax the fee is 33 cents for each packet. The fees are retained by the Postal Service, and are accounted for by affixing postage due stamps to the articles or packets and canceling. See § 151.5(e) of this chapter concerning recording and reporting duty collections.

(2) These fees are authorized by international postal convéntion, and are intended as partial reimbursement to the Postal Service for the work it performs in clearing mail articles through customs and for delivery to the ad-

(3) The appropriate fee is collected on each article on which duty or tax is paid by the addressee to the post office, even if several articles are covered by a single mail entry form.

(4) These fees are not refundable by the Postal Service even though the Customs Service may later refund the duty paid by the addressee.

(5) Post offices will not collect the fees in the following cases:

(i) On dutiable matter from the Canal Zone or from overseas United States military post offices.

(ii) On packages assessed with duty which are delivered without collection of duty under § 151.5(d) (4) of this chapter.

(iii) On packages, usually those requiring formal customs entry, on which the addressees pay the duty directly to the customs service.

(b) Shortpaid mail. Post offices will collect from the addressees of shortpaid letters and post cards the amount indicated in United States currency by the receiving exchange office. The amount collected is retained by the Postal Service and is accounted for by affixing postage due stamps to the letter or card and canceling. If it seems that the exchange office has made an error, the postage due rating can be checked as described in § 168.2 of this chapter.

(c) Invalid foreign postage. Foreign mail, bearing invalid postage is accompanied by international Form C 10 issued in the country of origin, and is rated as unpaid. The addressee is asked to pay the postage due, to disclose the name and address of the sender, and to surrender the envelope. The post office will send the envelope after delivery, or the entire article if the addressee refuses it, with the Form C 10 to the International Service Division, Bureau of Transportation, Post Office Department, Washington 25, D.C., with the name and address of the sender if disclosed by the addressee.

(d) Storage. The post office will collect 10 cents in postage due stamps for each day the addressee fails to take delivery of a postal union printed matter package, commercial papers package, or small packet exceeding 1 pound in weight, beginning with the eleventh day after first delivery attempt has been made or first notice of available delivery has been issued. Sundays and holidays are not counted. Storage charges are not collected on packages held awaiting decision of customs officials as to duty charges.

(e) AO mail containing letters. When a personal communication is found in an AO article, the office discovering it will mark the cover and rate the article for collection of postage due in the same manner as prescribed in §122.1(d) of this chapter for letters found in parcels.

(f) Returned mail. Post offices will collect charges on returned mail as follows:

(1) From the senders of 8-ounce merchandise packages (see § 112.8 of this chapter) the required postage at the surface rate, whether the packages were originally mailed by surface or by air.

(2) On returned second-class publications mailed to Canada by publishers or first 2 ounces and 1 cent for each additional ounce.

- (3) From the sender of any article returned through a deadletter branch, 10 cents.
- (4) Any other charge indicated by the exchange office.

#### § 114.2 Foreign markings instead of stamps.

Some articles of foreign origin do not bear postage stamps but are marked Taxe perçue, Port payé, TP or PP, with postmark. Official mail from Canada sometimes bears a postage-meter impression indicating the amount 00. The marking On Her Majesty's Service or O.H.M.S. is also sometimes used. This mail is treated as prepaid.

#### § 114.3 Forwarding.

- (a) Within the United States. Articles received by surface may be forwarded by surface, and articles received by air may be forwarded by air without charge, unless the envelope or wrapper bears a notation in English forbidding its being forwarded. Articles received by surface may be forwarded by air if domestic airmal postage is paid in United States stamps fixed to the articles. Registered articles may be forwarded as registered mail without additional registry fee.
- (b) To another country. Articles received by either surface or air may be forwarded by surface without charge, unless the envelope or wrapper bears a notation in English forbidding its being forwarded. Postage at the airmail rate to the country concerned must be paid if the articles are to be forwarded by air. An article can only be forwarded on condition that the new country of destination accepts mail of the classification involved. See § 113.4 (b) and (c) of this chapter concerning forwarding of domestic mail.
- (c) Backstamping. A legible postmark is applied to the back of letters and to the front of postcards when received missent and to articles and cards returned to origin or forwarded.

#### § 114.4 Undeliverable articles.

- (a) Retention period. Post offices will hold articles at disposal of addressees for 30 days, except in the following cases:
- (1) Articles bearing senders' requests for return within a specified time not exceeding 2 months.
- (2) Articles bearing no time limit for their return, when there is good reason to believe they can be delivered to the addressee if held for a period not exceeding 2 months. These articles shall be marked "Specially held for delivery".
- (3) Articles positively known to be undeliverable, shall be treated as undeliverable immediately unless they bear the sender's request specified in paragraph (a) (1) of this section.
- (b) Reason for nondelivery. The post office will mark on the cover of each article to be returned to the sender or to the dead letter branch the reason for nondelivery, in French, using one of the following forms: Retour-refusé" when the addressee has refused the article; "Retour-parti" when the addressee has

registered news agents, 2 cents for the removed leaving no address; "Retour-inconnu" when the addressee is not known; Retour-non réclamé when the addressee has failed to claim the article; or "Retour-dácéd" when the addressee is deceased. The address shall be crossed out. but not obliterated entirely, and a legible postmark applied as prescribed in § 114.3 (c) of this chapter.

(c) Disopsal. On expiration of the retention period, and after complying with paragraph (c) of this section, the post office will forward the article by surface means (including airmail articles) to the exchange office, except as follows:

(1) Ordinary (unregistered) prints of no value which do not bear request for return and the name and address of the sender are treated as waste.

(2) Canadian and Mexican articles of all classifications not covered by a above and not bearing sender's name and address are sent to the dead letter branch for treatment.

(d) Storage charges. Storage charges due on postal union articles are canceled if the articles are returned to origin or forwarded to another country. § 122.5(b) (3) of this chapter concerning parcel post.

Note: The corresponding Postal Manual is 224.

#### SUBCHAPTER M-PARCEL POST

#### PART 121—OUTGOING PARCELS

- 121.1 Rates and Mailing Conditions.
- 121.2 Packing, Preparing, and Mailing.
- 121.3 Postmarking.
- 121.4 Shortpaid.
- 121.5 Prohibitions and Restrictions.
- 121.6 Documentation.
- 121.7 Group Shipments.

AUTHORITY: §§ 121.1 through 121.7 issued under R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372.

#### § 121.1 Rates and mailing conditions.

For rates and special mailing conditions applicable to the various countries, see individual country items in § 168.5 of this chapter.

#### § 121.2 Packing, preparing, and mailing.

- (a) Packing. (1)—In general. (i)Every parcel shall be securely and substantially packed, having regard to the nature of the contents and climatic conditions, the length of the journey, and the numerous handlings and risks of concussion to which parcels for foreign destinations are unavoidably subjected en route.
- (ii) Packages must be packed in canvas or similar material, double-faced corrugated cardboard boxes, solid fiber boxes or cases, thick cardboard boxes, or strong wooden boxes made of lumber at least a half-inch thick or plywood of at least three plies. Ordinary pasteboard containers are wholly inadequate. Although it is permissible to use heavy wrapping paper or waterproof paper as the outside covering, for instance, of a carton, it shall not be used as the only covering of the contents. Boxes with lids screwed or nailed on and bags closed by sewing may be used provided they conform to other conditions prescribed.

(iii) The responsibility of properly enclosing, packaging, and sealing parcels in the international mails rests with the sender, and the Postal Service will not assume liability for loss, rifling, or damage arising from defects which may not be observed at the time of mailing.

(iv) For illustrations regarding recommended packaging, see Part 11 of this

chapter.

- (2) Specific articles. (i) Fragile articles shall be packed in a strong (preferably wooden) box. Solid fiberboard or strong doubled-faced corrugated fiberboard boxes (not less than 200-pound test) enclosed in strong wooden crates are also preferred, especially in the case of overseas destinations. A space of at least 11/2 inches must be left between the article and the top, bottom, and sides of the box, to be filled with sufficient cushioning material to protect the articles.
- (ii) All mailable liquids and substances which easily liquefy must be packed in two receptacles. Between the first (bottle, flask, etc.) and the second (box of metal, strong wood, strong corrugated cardboard, strong fiberboard, or receptacle of equal strength) there shall be left a space to be filled with sawdust, bran, or other absorbent material in sufficient quantity to absorb all the liquid contents in the case of breakage. Excelsior does not possess the necessary absorbent quality to meet the special requirements cited for internal packing. In the case of Great Britain and Northern Ireland, Ireland, Leeward Islands, Malaya, and Windward Islands, the outer receptacle shall be of strong wood or metal. Metal containers closed with a screw-top cover must have sufficient screw threads to require at least one and one-half complete turns before the cover will come off and be provided with a washer so as to prevent possible leakage of the contents. Compression or friction top metal containers must be soldered in four different places, equally spaced.

(iii) Dry noncoloring powders must be enclosed in boxes of metal, wood, or strong corrugated cardboard, placed in turn in a closely woven cloth bag or heavy kraft paper sack. Powder dyes must be enclosed in strong metal boxes. securely closed, and placed in turn in another box of wood or strong corrugated cardboard, with sawdust or other absorbent or protective material between the inner and outer containers.

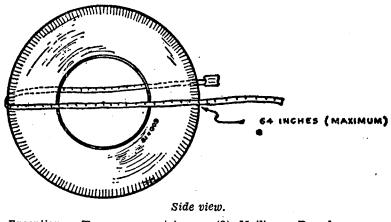
(iv) Eggs addressed for delivery in all other countries (except Canada), must be placed in a metal egg container, and each egg in the square pockets must be surrounded with paper, excelsior, cotton, straw, or other similar material, while the metal egg container in turn must be enclosed in an outer container of wood with sufficient excelsior, straw, or similar material provided in the space between the inner and outer containers.

(v) Eggs destined for delivery in Canada may be packed either in the manner prescribed above or in wooden. papier-mache, or other box of a rigid material with a well-fitting tightly adjusted lid. Each egg must be wrapped in newspaper or other protecting material and placed on end, the vacant space in the box to be filled with newspaper or other packing material so as to prevent the eggs from striking together or against the sides, top, or bottom of the box.

(3) Sealing. Parcels for certain countries must be sealed. To other countries sealing is compulsory for insured or registered parcels, optional for others. (See individual country items § 168.5 of this chapter.) Patrons must seal parcels by means of wax, gummed paper tape, nails, screws, sewing, wire or metal bands, or other adequate means which will permit detection of any attempted depredation.

(1) Dimensions and weight limits— (1) General dimensions. Greatest length, 3½ feet; greatest length and girth combined, 6 feet. Length and girth combined means the measurement of once the length, plus twice the width, plus twice the depth. See § 25.3 of this chapter for illustration of method of measuring parcels.

(2) Dimensions of special articles. The usual method of measuring parcels, as described in § 25.3 of this chapter is not adaptable in the case of tires of all kinds, coils of rope, hose, wire, etc., forming a parcel circular in shape. To determine whether a tire or other object circular in shape (regardless of whether there is an open space in the center) can be accommodated inside the mail sacks used for parcel post to overseas foreign countries, the object as prepared for mailing, shall be measured around its entire girth, in the direction of the diameter, as shown in the illustration. This measurement must not exceed 64 inches in order for the tire or other parcel circular in shape to be acceptable for mailing to overseas foreign countries. Measurement shall be taken as shown in the following illustration:



(3) Exceptions. To some countries, dimensions other than the general dimensions indicated are applicable. A parcel must not exceed the maximum dimensions allowed to the country to which it is addressed. See § 168.5 of this chapter for individual country limits.

(4) Weight limits. For weight limits applicable to each country of destination, see individual country items in § 168.5 of this chapter.

(c) Permissible enclosures and attachments—(1) In general. A communication of the nature of personal correspondence must not be enclosed in or written on any parcel. However, a parcel may contain an open invoice, con-

fined to the particulars which constitute an invoice, and a simple copy of the address of the parcel, with mention of the address of the sender. If a written communication in the nature of personal correspondence is found in the parcel, it will be placed in the mails if separable. If unseparably attached the entire parcel must be rejected.

(2) Exceptions. In the case of parcel post packages for Canada, a letter and

post packages for Canada, a letter and for Switzerland a letter or card, fully prepaid and bearing the same address as that of the parcel, may be tied or otherwise securely attached to the outside of the parcel in such manner as to prevent its separation therefrom or its interference with the address of the parcel. Stamps to cover postage on the parcel must be fixed to the wrapper of the parcel; stamps to pay postage on the letter must be fixed to the envelope thereof. Parcels to which such letters are attached are treated as parcel post.

(d) Addressing and mailing—(1) Addressing. The name and address of the sender and of the addressee must be legibly and correctly written in every case when possible on the parcel itself or on a label gummed thereto, and must also be written on a separate slip enclosed in the parcel. Parcels will not be accepted when addressed to a "care" in one country and the addressee (or person for whom intended) in another country or when addressed to or sent by initials, unless the initials are the adopted trade name of the senders or addressees. Addresses in ordinary pencil are not allowed, but copying ink or indelible pencil on a surface previously dampened may be used. Sufficient space must be left for the addition of necessary service notations and for stamps or labels.

(2) Mailing. Parcels may not be mailed in letter boxes. Patrons must present them at parcel-post windows of post offices, where the necessary postal forms (see § 121.6 of this chapter) will be furnished without charge.

(3) Postage rates. Parcel post rates to the various countries of destination are shown in the individual country items in § 168.5 of this chapter. The rates for surface parcels are for each pound, a fraction of a pound being charged as a full pound. Air parcel rates are on the basis of each 4 ounces, a fraction of 4 ounces being charged as a full 4 ounces. The weight of the customs declaration and other postal forms will

not be included with that of the parcel (surface or air) in determining the amount of postage required.

#### § 121.3 Postmarking.

Post offices will postmark international parcel post.

#### § 121.4 Shortpaid.

(a) Observed at mailing office. Shortpaid parcels observed at the office of mailing which bear a return address at the office of mailing shall be either returned to the sender for the deficient postage or held and the sender requested to supply the missing postage. The original postage is still valid when the parcel is remailed. If the return address is not at the mailing office the parcel shall be dispatched to the exchange office.

(b) Reported by exchange office. Shortpaid parcels observed at exchange offices are dispatched to destination and a notice on Form 2947-a, Notice to Mailer of Irregularities in International Mail, is sent requesting that the deficiency be supplied to the exchange office.

#### § 121.5 Prohibitions and restrictions.

(a) General list of prohibited articles. The following are prohibited by parcel post to all countries:

(1) Articles which are excluded from the domestic mails of the United States. (See Part 14 of this chapter.) Although safety matches are admitted in the domestic mail, they are prohibited in the international mail.

(2) Written communications of the nature of personal correspondence. (See . § 121.2(c) of this chapter.)

(3) Enclosures which bear an address different from that appearing on the parcel itself.

(4) Pistols, revolvers, and other firearms capable of being concealed on the person, with certain exceptions. (See § 15.5 and § 143.1 of this chapter.)

(5) Live or dead creatures, except live bees, leeches, and silkworms and dead insects or reptiles when thoroughly dried.

(6) Fruits and vegetables which easily decompose and any substances which exhale a bad odor.

(7) Gold coin, gold bullion, or gold dust exceeding \$100 in value. (See \$ 144.4 of this chapter.)

(8) Articles which may in any way damage or destroy the mail or injure the persons handling them. This includes liquids which may cause injury by contact with the skin or give off irritating vapors; also explosives and inflammable liquids having a flash point by the Tagliabue open tester of 80° F. or lower, and inflammable solids which are likely, under conditions incident to transportation, to cause fires through friction, through absorption of moisture, or through spontaneous chemical changes.

(9) Articles containing gas or liquid under pressure, except that products incorporating compressed gas are acceptable if the mist produced is noninflammable, the quantity of contents not more than a pint, and not more than one container per package. These restrictions as to quantity do not apply to aerosol containers holding mailable liquid and gas under pressure less than 40 pounds per square inch absolute (25 pounds

gauge pressure) at 70° F. Liquids with flash point below 150° F. are restricted as stated in § 121.5(b) (1) of this chapter. The container must be completely surrounded with sawdust, bran, or other absorbent material sufficient to take up all the liquid content.

(10) Oxidizing materials such as chlorates, permanganates, peroxides, or nitrates, which yield oxygen readily to stimulate the combustion of organic matter.

(11) For articles prohibited in postal union mail, see § 111.3 of this chapter.

(b) Restricted articles—(1) Combustible liquids. Combustible liquids having a flash point of 150° F. or lower but above 80° F. (Tag, open tester) may be sent to foreign countries generally in quantities not exceeding 1 quart in any one parcel, except that paints, varnishes, turpentine, and similar substances may be sent in quantities of less than 1 gallon in any one parcel. Each parcel containing a combustible liquid must be marked by the sender to indicate that the flash point is above 80° F.

(2) Gold and gold certificates. (See

§ 144.1 of this chapter.)

(3) Jèwelry. Some countries prohibit the importation of jewelry or other precious articles by parcel post, and others admit them only in registered or insured parcels. (See country items in § 168.5 of this chapter.) The term jewelry is generally understood to denote articles of more than nominal value. Low priced jewelry, such as tie clasps, costume jewelry, and other items containing little or no precious metal, is not considered to be lewelry within the meaning of this section and is accepted under the same conditions as other mailable merchandise to any country. However, its acceptance to countries to which jewelry is prohibited is at the risk of the sender.

(4) Tobacco seed and plants.

§ 145.2 of this chapter.)

(5) Plant material generally. Plants, seeds, and plant material are subject to the quarantine regulations of the country of destination. Patrons can obtain information from the Plant Quarantine Branch, Department of Agriculture, Washington 25, D.C., or from one of the offices of that branch located at principal ports of entry.

(c) Individual country prohibitions and restrictions. See individual country regulations in § 168.5 of this chapter.

#### § 121.6 Documentation.

(a) Customs declaration, Form 2966-(1) Preparation by accepting clerk. The accepting clerk will give the sender the number of forms required for the country concerned, and will see that he fills them out in accordance with subparagraph (2) of this paragraph, and any special instructions under the country item in § 168.5 of this chapter. Request senders to fill out declarations in ink or by typewriter, but packages presented with declarations completed in ordinary pencil are not to be rejected for that reason. Enter the weight of the parcel and, if insured, the insurance number. Postmark the form in the space provided and return it to the sender to be attached to the parcel as described in subparagraph (3) of this paragraph.

(2) Preparation by sender. Complete the declarations in ink or by typewriter. Show on each declaration the following:

(i) The name and address of the sender and the addressee.

(ii) Instructions as to disposal of the parcel if undeliverable as addressed. Three alternatives are printed on the form, that the parcel be (a) returned postage due, (b) offered for delivery to a second addressee in the country of destination (name and complete address to be given), or (c) abandoned. The sender must indicate his choice by crossing out the unwanted alternatives and placing his name and address in the spaces provided. If the sender is not willing to pay return postage on his parcel, he should indicate that it is to be abandoned in case of nondelivery.

(iii) Describe the contents completely and accurately in the English language, although an interlineation in another language is permitted, and in some cases is required (see Part 168 of this chapter). In the case of parcels containing more than one article, or articles of different kinds, state the exact quantity and value of each kind or article. It is not sufficient to use simply such words as coat, or stockings, but the materials of which

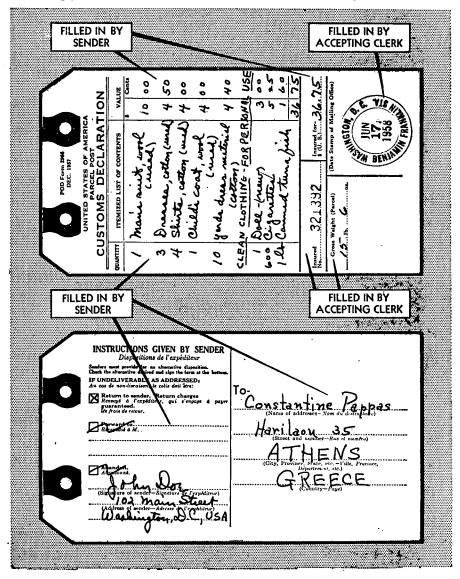
the articles are composed must be shown, as fur coat, silk stockings. Also, for instance, in the case of dried fruits the particular kinds, such as figs, raisins, currants, etc. must be shown. General terms such as worn clothing, groceries. presents, merchandise, samples, and the like, will not suffice. In case the customs declaration does not furnish enough space on which to give a complete list of the contents, an additional declaration form may be used, or the list placed on the wrapper, making reference to the fact on the declaration itself.

(iv) If the parcel is to be insured, show in the space provided the amount for which it is insured (see § 133.5(a) (2)

of this chapter).

(3) Affixing by sender. In addition to being tied by means of a cord passed through the eyelets, the tag must be bound to the parcel so that it lies flat thereon and cannot be used as a handle to lift the parcel while in transit. The tag is not to be tied to the parcel and allowed to hang loose.

(4) Facsimile of Form 2966. The following facsimile illustrates the information which the sender and the accepting clerk will add to complete the form:



accordance with § 121.6(b) (2) of this chapter. Request senders to fill out the dispatch note in ink or by typewriter, but packages presented with the forms completed in ordinary pencil are not to patch note if required for the country concerned and see that he fills it out in the appropriate spaces the weight of the cepting clerk will give the sender a dislieu of the amount of postage. Post-mark the form in the space provided and return it to the sender to be attached Preparation by accepting clerk. The acparcel, amount of postage paid, number of customs declarations, and, if insured, the insurance number and amount of in-Paid" or the abbreviation "Off. Pd." in to the parcel as described in paragraph ter). For parcels mailed by Governmen of this chapter, enter the words "Officia surance (see § 133.5(b) (1) of this chap agencies pursuant to § 111.2(d) (2) (ii) be rejected for that reason. Enter (a) (3) of this section.

or on the typewriter. Fill in the name this section) and attach the form to the parcel in the same way (see paragraph Complete the dispatch note in ink and indicate the alternate disposition in the same manner as on the customs declaration (see paragraph (a) (2) (ii) of Preparation and affixing by send and address of the sender and addressee (a) (3) of this section) ම er.

simile illustrates the information which the sender must supply and which the accepting clerk will add to complete the Facsimile. The following fac-

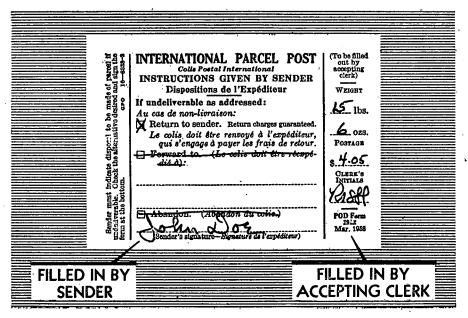
(see paragraph (c)(3) of this section) PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PENNET PE The undersigned declares he has received Le soussigné déclare asoit requ GLY, Province, State, etc. - Ville, Fronter, Depart RECEIPT OF THE ADDRESSEE QUITTANCE DU DESTINATAIRE Constantine Bares 110.25 GOLD FRANCS ACCEPTING CLERK SEVENTY-FIVE CENTS THIRTY-SIX DOLLARS AND GREECE FILLED IN BY Harilaon 35 Insured Value (Value delants): # 36.75 parcel designated office (Signature du destinataire) 321332 Weight 15.UMG. Postage Paid I O Z UNITED STATES OF AMERICA — PARCEL POST (Bulletin d'Expédition) **.**.. Usured No. CIVEN BY SENDER DISPATCH ACCEPTING CLERK alternative dispositi and sign the form at 102 main Steel colis doil etre: FILLED IN BY CUSTOMS DUTIES (Droite de Douane) CUSTOMS STAM Return to sender. Remoyé à l'expéditers guaranteed. les frais de retour. FILLED IN BY INSTRUCTIONS Senders must previde for Check the alternative desir-IF UNDELIVERABLE SENDER - Fermanda Jak L

surance or other fees), and initial the Preparation by accepting clerk. Give the sender a yellow International parcel-post sticker and see that he fills accordance with paragraph Enter in the spaces provided the weight of the parcel and the postage paid (not including in-For parcels mailed by Govern-(ii) of this chapter, enter the words "Official Paid" or the abbreviation "Off. Pd." in lieu of the amount of postage. See that the form is securely attached ment agencies pursuant to § 111.2(d) (2) (c) Parcel post sticker, Form 2922-(c) (2) of this section.

(2) Preparation by sender. Prepare a parcel-post sticker for every parcel mailed to another country, even for each parcel mailed under the group-shipment ter). Indicate alternative disposition in the same manner as on Form 2966 (see Do not use Form 2922 on parcels for arrangement (see § 121.7 of this chap paragraph (a)(2)(ii) of this section) United States possessions.

(3) Manner of affixing. Form 2922 should be pasted to the wrapper of the preferably on the address side, but if the shape or size of the parcel may be fixed to a tag which shall in turn this impracticable, the be securely attached to the parcel. parcel, makes

(4) Facsimile. The following facsimlle illustrates the information which the sender and the accepting clerk will add



(d) Airmail stickers, Labels 19 and 55. Unless the sender has complied with § 131.4(b) of this chapter, the post office will affix a Label 19 to the wrapper of each airmail parcel and a Label 55 to the dispatch note if any. (See paragraph (b) (1) of this section.)

(e) Forms found loose in the mail. Customs declarations and dispatch notes found loose in the mail and apparently lost from parcels in transit must be sent via air mail to the appropriate exchange office to be again attached if possible to the parcels before dispatch.

(f) Non-postal documentation. Parcel-post packages may require one or more of the forms described in Subchapter O, Non-Postal Export Regulations.

#### § 121.7 Group shipments.

(a) Description. The "group shipment" of parcel post packages is an arrangement by which senders of parcel post packages for certain countries (see Part 168 of this chapter) have the option of attaching a single customs declaration Form 2966 (or a single set when more than one customs declaration is required) to only one parcel of a consignment mailed simultaneously by the same sender to the same addressee at one address. In those cases where a dispatch note (Form 2972) "Dispatch Note (For Mailing Parcels to Certain Countries)" is required, a single copy of this form is sufficient for a group.

(b) Marking. Under the group shipment arrangement, the sender must mark each parcel with a fractional number, the numerator of which will indicate the number of the parcel, and the denominator the number of parcels comprising the shipment. For example, if a single shipment were composed of 12 parcels, each would be numbered, respectively, 1/12, 2/12, 3/12, etc. While a group shipment to certain countries is limited to 3 parcels, there may be any number of 3-parcel groups provided that in addition to the identification numbers 1/3, 2/3, and 3/3 each group is indicated by a letter A, B, C, etc. For example,

when there are two groups of three parcels each, the parcels should be marked A-1/3, A-2/3, A-3/3, B-1/3, B-2/3 and B-3/3. A separate customs declaration or set of declarations, together with a separate dispatch note if the latter is required, must be furnished for each group of parcels.

(c) Attachments. The customs declaration (or set of declarations, where a set is required) must be securely attached to one of the parcels (preferably to parcel No. 1 of the group), in order to prevent its becoming lost while the parcel is en route. The total number of parcels in a shipment must always be indicated on the customs declaration. On parcels for Guadeloupe and Mexico, the customs declaration must also show, separately, the contents of each parcel opposite the proper reference. For example, for a shipment of five parcels: Contents of 1/5 _____ Contents of 2/5 ...., etc.

Note: The corresponding Postal Manual part is 231.

#### PART 122—INCOMING PARCELS

122.1 Charges.

Stamps not affixed. 122.2

122.3 Delivery.

Forwarding. 122.4

122.5 Undeliverable.

AUTHORITY: §§ 122.1 through 122.5 issued under R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372.

#### § 122.1 Charges.

(a) Customs clearance and delivery fee. Post offices will collect a fee of 33 cents from the addressee of every parcel post package on which customs duty or internal revenue tax is collected. The fee is retained by the Postal Service, and is accounted for by affixing postage due stamps to the parcel and canceling. The fee is authorized by international parcel post agreements, and is intended as partial reimbursement to the Postal Service for the work it performs in clearing parcels through customs and for delivery

to the addressee. The provisions of § 114.1(a) (3), (4) and (5) of this chapter also apply. See § 151.5(e) of this chapter concerning recording and reporting duty collections.

(b) On returned parcels. Collect the charges referred to in § 122.5(a) (1) of

this chapter.

(c) Storage. The post office will collect 10 cents in postage-due stamps for each day the addressee fails to take delivery of a parcel, beginning with the eleventh day after first delivery attempt has been made or first notice of available delivery has been issued. Sundays and holidays are not counted. Storage charges are not collected on parcels held awaiting decision of customs officials as to duty charges. See § 122.5(b)(3) of this chapter regarding undeliverable parcels with storage charges due.

(d) Parcels containing letters. When a parcel from another country is found to contain a personal communication. the office where it is discovered shall mark the wrapper "Letter enclosed". Collect __ cents and send the parcel forward to destination. The amount to be collected will be double the amount of postage (surface or air) applicable to a single-rate letter to the country concerned. The office endorsing the parcel shall indicate the amount to be collected and the delivering office shall collect the amount from the addressee by means of postage-due stamps. No systematic search for such letters shall be made.

#### § 122.2 Stamps not affixed.

Some foreign post offices do not put postage stamps on parcels. All such parcels received must be regarded as prepaid.

#### § 122.3 Delivery.

(a) Parcels addressed through bank or other organization. If a parcel is addressed to a bank or other organization for delivery to a second addressee, the post office will notify both addressees of the arrival of the parcel, but will not deliver to the second addressee without written permission from the first addressee, unless the sender has arranged for change of address as provided in

§ 137.6(b) of this chapter.

(b) Foreign dispatch notes. If parcels are received with dispatch notes (bulletin d'expédition) attached, they **T**hese are delivered with the parcels. forms have a space provided for the addressee's acknowledgment of receipt, but do not require signature. They must not be confused with foreign return receipts which are designated Avis de réception and are completed as prescribed in § 132.5(e) (1) of this chapter. If a parcel is returned as undeliverable, the post office will mark the dispatch note as well as the wrapper to show the reason for nondelivery, and leave the dispatch note attached to the parcel.

#### § 122.4 Forwarding.

(a) Within United States. A parcel may be forwarded to the addressee at another post office in the United States by surface transportation, subject to collection on delivery of postage at the United States domestic zone rate. Forwarding by air must be prepaid. The Post Office forwarding an unprepaid parcel by surface in the United States will mark the wrapper "Postage due" giving the amount of domestic postage along with storage charges if any. When delivering an unprepaid forwarded parcel, the post office will collect the necessary amount for domestic transmission in postage-due stamps even if the postage due marking is omitted. The fee prescribed in § 121.1(a) of this chapter is also collectible on any forwarded dutiable parcel.

(b) To country of origin. If the addressee has moved to the country of parcel's origin and no instructions are given to deliver to a second addressee, the post office will mark it Retour-Parti, show the forwarding address of the addressee, and send by surface means (including parcels received by air) to the appropriate exchange office for return to the

country of origin.

(c) To third country. If the addressee has moved to another country (other than the country of parcel's origin), the post office will hold the parcel and request instructions from the International Service Division, Bureau of Transportation. Post Office Department, Washington 25, D.C., indicating the new address of the addressee, the weight of the parcel, whether ordinary, registered, or insured, the nature of the contents as shown on the customs declaration and what alternative disposal instructions, if any, the sender has given on the parcel and on the dispatch note. A domestic third- or fourth-class parcel will not be forwarded to another country but will be returned to the sender or otherwise treated as undeliverable matter.

(d) *Dutiable parcels*. Dispose of customs entry forms accompanying dutiable parcels as prescribed in § 151.5(i) of this

chapter.

#### § 122.5 Undeliverable.

(a) United States origin. (1) Returned parcels are subject on delivery to the sender to collection of return postage and any other charges assessed by the foreign postal authorities. The amount of such charges will be indicated by the exchange office. If the sender refuses the parcel, it shall be disposed of as dead parcel post. If the sender has removed to another address in the United States the parcel may be redirected, subject to forwarding postage at the United States domestic zone rate. If the sender has moved to another country, the post office will hold the parcel and request instructions from the International Service Division, Bureau of Transportation, Post Office Department, Washington 25, D.C., indicating the new address of the sender, the amount of return charges due on the parcel, weight, whether ordinary, registered, or insured, and the nature of the contents as shown on the customs declaration tag.

(2) Domestic parcels. If the addressee of a domestic parcel has moved to another country, the post office will not forward the parcel but treat it as undeliverable. If the sender of an undeliverable domestic parcel has moved to another country, the post office will hold

the parcel and request instructions from the International Service Division, Bureau of Transportation, Post Office Department, Washington 25, D.C., indicating the sender's new address, the weight of the parcel, whether ordinary or insured, and, if possible, the nature of the contents.

(b) Foreign origin—(1) Retention and disposal. Parcels will be held at the disposal of the addressee for a maximum of 30 days. If a parcel is refused or is known to be neither deliverable nor forwardable, treat it as undeliverable at once. A parcel bearing the sender's request for delivery to an alternate addressee is to be held 15 days at the disposal of the first addressee and 15 days at the disposal of the second. At the end of the retention period, or immediately if it is definitely established that the parcel cannot be delivered or forwarded, dispose of the parcel in accordance with the sender's instructions on the wrapper or on the accompanying documents; lacking such instructions, return it to the sender after complying with § 122.5(b) (2) of this chapter. See § 151.5(i) of this chapter concerning disposal of customs entry forms relating to undeliverable dutiable parcels. Parcels from Great Britain may bear request to Return forthwith to sender at sender's expense. Return such parcels within 10 days, or immediately if definitely known to be undeliverable.

(2) Marking. The post office will mark parcels and the accompanying dispatch notes to show reason for nondelivery, as prescribed in § 114.4(c) of this chapter. Cross out the address but do not obliterate it entirely. Dispatch the parcel by surface means (including parcels received by air) to the appropriate exchange office.

(3) Storage charges. If a parcel returned or forwarded to one of the countries named in this subparagraph has storage charges due, mark the wrapper with the amount so that appropriate action may be taken at the exchange office. If no storage charges are due, mark the wrapper "No storage charges due."

Argentina. Netherlands. Barbados. Netherlands Belgium. Guinea. Bolivia. Peru. Brazil. Poland. Chile. Portugal. Colombia. Portuguese East Af-Costa Rica. rica (Mozam -Denmark (including bique). Rhodesia and Nyasa-Faroe Islands and Greenland). land. Egypt. Rumania. Eritrea. Ryukyu Islands. Somalia. Estonia. Spain and posses-Greece. Iceland. sions. Indonesia Spanish Guinea. Italy. Sudan. Switzerland. Japan. Turkey. Union of Soviet So-Korea. Latvia. Libya. cialist Republics. Lithuania. Uruguay. Yugoslavia. Mexico. Morocco.

(4) Abandonment. If an undeliverable parcel bears the sender's request to abandon, mark it Abandoned and send

it to the appropriate dead parcel post branch for disposal unless it is subject to customs duty. In the latter case, send the parcel to the collector of customs at the nearest customs port (see § 151.3 (e) of this chapter), and return both the original and duplicate mail entries, Customs Form 3419 "Entry of Merchandise Imported Through the Mail" to the collector who issued them, in the manner prescribed in § 151.5(f) of this chapter,

Note. The corresponding Postal Manual part is 232.

### SUBCHAPTER N—SPECIAL SERVICES PART 131—AIR SERVICE

Sec. 131.1 Availability.

131.2 Rates. 131.3 Prepayment.

131.4 Marking.131.5 Air letters (Aerogrammes).

AUTHORITY: §§ 131.1 through 131.5 issued under R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372.

#### § 131.1 Availability.

Postal union mail of any class may be sent by air. Parcel post may be sent by air to the countries for which air parcel post rates are shown in Part 168 of this chapter. Generally the weight limits, dimensions, and other conditions (but not postage rates), prescribed for surface mail apply to articles and parcels sent by air.

#### § 131.2 Rates.

(a) Postal union mail. See individual country items in § 168.5 of this chapter.

(b) Parcel post. See individual country items in § 168.5 of this chapter.

#### § 131.3 Prepayment.

- (a) How paid. Airmail postage may be prepared by means of airmail stamps, ordinary postage stamps, or meter stamps.
- (b) Full prepayment necessary. Airmail articles must be fully prepaid to assure dispatch without delay. If an article is returned to the sender for additional postage, the stamps already attached will be accepted at their face value after the needed additional postage has been affixed.
- (c) Double or reply-paid post cards. If the mailer wishes the reply-paid half of a foreign card bearing postage of the country of address to be transmitted by air, he must prepay, with United States postage, the difference between the surface and the airmail post card rates to the country concerned. If the first or message part of the card is left attached to the reply half, the additional postage required will be the difference between the surface post card rate and the airmail letter rate to the country concerned. See § 112.2(a) (2) of this chapter for postage required to transmit a United States reply-paid post card by airmail.

#### § 131.4 Marking.

(a) Postal union mail. Articles to be sent by air must bear in the upper left corner, immediately below the sender's return card, the blue "Par Avion/By Airmail" label 55. Envelopes bearing distinctive airmail markings may show the

printed or rubber stamped endorsement "Par Avion/By Airmail" in blue capital letters instead of label 55.

(b) Parcel post. An airmail label 19 must be pasted on the address side of each parcel to be sent by air, below and to the right of the name of the country of destination. If a dispatch note is required, a blue Par Avion label 55 must be placed on that form.

#### § 131.5 Air letters (aerogrammes).

(a) Availability and use. Air letters (aerogrammes), which can be folded into the form of an envelope and sealed, may be sent by air to all countries. These sheets, bearing imprinted postage, are sold at all post offices at 10 cents each. All parts of the sheets may be used for the sender's message, except the address side. No enclosures are permitted. The use of tape or stickers to seal air letters is prohibited. Air letter sheets may be sent under registration upon payment of the required registry fee in addition to the postage.

(b) Private manufacture. Air letters without imprinted postage may be manufactured, subject to prior approval by the Department, by private individuals or firms, for their own use or for sale to the public. These sheets must average not less than 150 to the pound (approximately 9 per ounce) and be similar in size, color, and border markings to the regular form issued by the Post Office Department. They must bear the same printed endorsements on the address and reverse sides as the regular form. In addition, the words "Authorized for mailing as air letter-P.O. Permit No. number to be filled in when issued) must appear in smaller type on the outside of the flap or near one of the edges on the reverse side, so that they will be visible when the sheet is folded for mailing. The quality and strength of the paper must be sufficient to guard against the likelihood of damage in the course of postmarking and handling, and to assure that the writing on the inner side will not interfere with the legibility of the address. Manufacturers must submit 10 samples of proposed air letter sheets to the Director, International Service Division, Bureau of Transportation, Post Office Department, Washington 25, D.C., for approval before engaging in their production. Approved private air letters must be prepaid 10 cents each when mailed, except those addressed to Canada and Mexico, which require 7 cents prepayment, and those for St. Pierre and Miguelon, which require 8 cents.

(c) Containing enclosures. Air letters (aerogrammes) that have been placed in the mail, and are observed to contain enclosures, are dispatched as follows:

(1) By air if addressed to a country for which the airmail letter rate is 10 cents or less or if addressed to another country and the difference between the 10-cent air letter rate and the regular airmail letter rate has been prepaid.

(2) Otherwise, by surface, after crossing out the "Air Letter—Aerogramme—Par Avion markings."

Note: The Corresponding Postal Manual part is 241.

#### **PART 132—REGISTRATION**

Sec. 132.1 What may be registered.

132.2 Preparation by mailer.

132.3 Fees.

132.4 Mailing receipts.

132.5 Return receipts.
132.6 Restricted delivery.

132.7 Valuable registered mail.

132.8 Post office processing.

AUTHORITY: §§ 132.1 through 132.8 issued under R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372.

#### § 132.1 What may be registered.

(a) Postal union mail. Postal union articles of all classes may be registered to all countries unless a specific exception is stated under the country item in § 168.5 of this chapter.

(b) Parcel post. Parcel post packages may be registered only to countries with which there are arrangements for this service. See country items in § 168.5 of this chapter.

#### § 132.2 Preparation by mailer.

(a) Addressing. Mail which bears an address written in pencil or consisting of initials will not be accepted for registration. The address of mail other than that sent in transparent panel (window) envelopes may be written in indelible pencil.

(b) Sealing. (1) Senders must securely seal letters or letter packages presented for registration. Wax or paper seals on envelopes must bear a distinctive mark of the sender and shall be affixed in such a way as to allow sufficient space at the intersections of the flaps for postmarking. Envelopes or packages that appear to have been opened and resealed will not be registered.

(2) Articles under the classifications of commercial papers, printed matter, books, matter for the blind, samples of merchandise and small packets, or as 8 ounce merchandise packages (except as otherwise provided), presented for registration, must not be sealed.

(3) Parcel post packages presented for registration must be sealed. See § 121.2 (a) (3) of this chapter as to manner of sealing. Parcels that appear to have been opened and resealed will not be registered.

#### § 132.3 Fees.

For postal union mail, the fee is 50 cents, except that to Canada the fees are 50 cents for liability up to \$10 and 75 cents for liability up to \$25. For parcel post registry fees, see country items in § 168.5 of this chapter. (See § 162.2 of this chapter for indemnity provisions.)

#### § 132.4 Mailing receipts.

(a) Issuance. A receipt is issued to the sender for mail matter accepted for registration to other countries.

(b. Post office handling. (1) Endorse receipts and mailing office record "P.P." to distinguish parcel post from postal union mail accepted for registration.

(2) Endorse the receipt and office record "Free" for articles registered free pursuant to § 111.2(d) (1) of this chapter. Endorse Official Paid or Off. Pd. for ar-

ticles or parcels registered pursuant to § 111.2(d)(2)(ii) of this chapter.

#### § 132.5 Return receipts.

(a) Requested at time of mailing. (1) Fee: 13 cents. If the mailer desires that his return receipt be sent back by airmail, the article must be prepaid an additional fee equal to the airmail postage on a single post card to the country of destination.

(2) The post office will treat return receipts as follows:

(i) Endorse the article on the address side Avis de Reception (meaning return receipt), or A. R., followed by the notation Par Avion (by airmail) when the sender has requested the return of the receipt by airmail.

(ii) Complete international return receipt, Form 2865 "Return Receipt for International Insured or Registered mail" at first-, second-, and third-class offices. For Canada only, the domestic return receipt, form 3811 "Return receipt registered, insured and certified mail" is permissible if Form 2865 is not available. Both forms are gummed to aid in securely attaching them to the mail and are perforated to facilitate completion and return. For articles mailed at fourth-class offices the form will be supplied by the United States dispatching exchange office.

(iii) When the receipt is to be returned by airmail, mark it on the address side Renvol Par Avion (meaning return by airmail), and attach a Par Avion Label 55.

(iv) Put postage for the return receipt fee, and for the airmail postage if the sender has requested return of the receipt by air, on the registered article, and cancel.

(v) Do not include weight of the return receipt in determining the postage.

(b) Requested after mailing. Within a period of 1 year from the day following that on which a registered article or parcel was mailed, the sender, upon showing the registry receipt, may request a return receipt. The fee is 25 cents. To have the request for return receipt transmitted by air the sender must pay, in addition to the 25-cent fee, the postage for a one-rate airmail letter to the country of destination. To have the request transmitted by surface and the return receipt returned by air the sender must pay the same postage, and to have the request and the return receipt transmitted in both directions by air he must pay double the airmail letter rate.

(2) The post office will deal with such requests as follows:

(i) Countries other than Canada: (a) Prepare Form 542 "Foreign registered or insured article inquiry" (at first- and second-class offices) or Form 1510 "Complaint for loss or rifling of mail" (at third- and fourth-class offices) and write at the top "Request for return receipt made after mailing". Prepare Form 2865 "Return Receipt for International Insured or Registered Mail" (at first-, second-, and third-class offices) and forward, together with Form 542 or 1510, to the postal inspector in charge of the division in which the office of mailing is located.

Country

(b) Put postage for the return receipt fee, and for the airmail postage if the sender has asked that the request be sent by air, on Form 542 or 1510, and cancel.

(c) When the receipt is to be returned by air, mark Form 542 or 1510 A renvoyer par avion and attach a Par Avion label, 55. Mark the return receipt form "Renvoi par avion" and attach a Par Avion label.

(ii) Canada: (a) Prepare Form 1510 at all offices and endorse Request for Return Receipt Made After Mailing. Attach Form 2865, or domestic return re-ceipt Form 3811 "Return Receipt registered, insured and certified mail" if Form 2865 is not available, and send under official cover to the proper Canadian District Director of Postal Service, as indicated in § 161.5(a) (2) (i) (b) of this chapter.

(b) Put postage for the return receipt fee, and for the airmail postage if the sender has asked that the request be sent by air, on Form 1510, and cancel.

(c) When the receipt is to be returned by air, mark Form 1510 as outlined in paragraph (b) (2) (i) (c) of this section.

(c) Duplicate receipts. If the sender has failed to receive a return receipt for which a fee was paid, the post office will follow the instructions prescribed in § 132.5(b) (2) of this chapter, without additional fee, adding the words "Dupli-cate" return receipt at the top of Forms 2865, 542, and 1510.

(d) Completion. Return receipts for registered articles delivered in other countries are completed in accordance with requirements of the country making delivery, which vary according to the country involved. The signature of the addressee is not furnished by some countries, or may be furnished only under

specified conditions.

(e) Issued in other countries—(1)

Completion. Foreign return receipts are designated as "Avis de réception". The post office of address will have addressee or his authorized agent date and sign such receipts with ink or indelible pencil. When signed by an agent of the addressee, the agent must sign the addressee's name as well as his own. Complete the receipt by postmarking in the appropriate space near the addressee's signature. Return the completed receipt unenclosed in the ordinary (unregistered) surface mail, unless it bears the notation Renvoi par avion or a Par Avion label or both in which case it shall be returned by airmail.

(2) Foreign receipt form missing. When it is apparent at the delivery office that a return receipt is desired by the sender of a registered piece of foreign origin and no return receipt form accompanies the article, complete U.S. international return receipt Form 2865, and treat as prescribed in paragraph

(e) (1) of this section.

#### § 132.6 Restricted delivery.

(a) Articles mailed in United States. (1) The mailer may restrict the delivery of registered postal union articles addressed to the following countries on condition that the articles are accompanied with a return receipt and endorsed in the manner indicated:

Aignanistan	
Albania	A remettre en main propre or Per t'u dorezuar ne
	doren e vet.
Austria	A remettre en main propre or Zu eigenen Handen.
Belgium	A remettre en main propre or the equivalent in the
	Flemish language.
Bulgaria	
Burma	
China (Taiwan only)	A remettre en main propre or the equivalent in a

Endorsement required

language known at the place of destination.

Cyprus _____ To be delivered to the addressee in person. Czechoslovakia ----- A remettre en main propre. Denmark _____ Personlig. Dominica (Windward Islands) _____ To be delivered to the addressee in person. Estonia ----- A remettre en main propre. Falkland Islands _____ To be delivered to the addressee in person.

Finland _____ A remettre en main propre.
French Somaliland ____ A remettre en main propre.

Germany _____ A remettre en main propre or Eigenhändig. Greece _____ A remettre en main propre or IAIAY XEPPIN.

Hungary ----- A remettre en main propre or Sajaat kézbe kézbesitendő. Iceland _____ A remettre en main propre or Afhendist vidtakanda

sjálfum. Italy _____ A remettre en main propre. Jamaica _____ To be delivered to the addressee in person,

Jordan _____ A remettre en main propre. Latvia _____ A remettre en main propre. Lebanon _____ A remettre en main propre.
Leeward Islands (except Antigua) ___ To be delivered to the addressee in person.

Lithuania ..... A remettre en main propre.

Luxembourg ..... A remettre en main propre. Nepal _____ A remettre en main propre. Philippines (Republic of the) _____ To be delivered to addressee only. Portugal _____ A remettre en main propre. Rumania _____ A remettre en main propre.

Salvador (El) _____ A remettre en main propre or A entregar en propia mano.

Sarawak _____ For delivery to addressee in person. Saudi Arabia _____ A remettre personnellement.

Sierra Leone _____ To be delivered to the addressee in person.

Spain _____ A remettre en main propre or A entregar en propia

Sweden _____ A remettre en main propre or Får utlämnas endast till adressaten personligen. Switzerland _____ A remettre en main propre.

Turkey _____ Alicinin kendine verilecek.
Turks Islands _____ To be delivered to the addressee in person.

Union of Soviet Socialist Republics... A remettre en main propre. Uruguay _____ A remettre en main propre. Vatican City State_____ A remettre en main propre.

(2) The sender must place the required endorsement above and near the address and underline in red. The country of destination will make two attempts to effect delivery, and, if unsuccessful. the article will be returned as undeliverable.

(3) Fee: 50 cents; to be prepaid on the article in addition to other applicable fees and charges.

(4) Restricted delivery is not available

for registered parcel post.

(b) Articles mailed in other countries. Registered postal union articles which are accompanied with a return receipt and bear the notation Deliver to addressee only, underlined in red, are delivered only to the addressee. At least two attempts are made to deliver these articles.

#### § 132.7 Valuable registered mail.

(a) Declaration of value. The sender must declare the full value of postal union mail offered for registration. This is solely for the purpose of enabling the accepting clerk to identify valuable registered mail for recording purposes. The declared value must not be regarded as the amount of indemnity payable in case

of loss. See § 162.2(a) of this chapter concerning limits of indemnity for registered postal union mail.

(b) Entry on firm mailing sheets. When valuable registered mail is presented on firm mailing sheets, the sender must indicate the values opposite the respective entries.

(c) Treatment at mailing office. Add the letter X after the registry number on all registered articles with a declared value in excess of \$400.

#### § 132.8 Post office processing.

(a) Mailing office—(1) Endorsements. Stamp "Registered" in the lower left corner of the address side of the letter or parcel. On articles too small to accommodate the word "Registered", place the capital letter "R". Place a Par Avion label 55 or endorsement on any article accepted for registration which is prepaid for air service and which the sender has failed to mark properly.

(2) Registration numbers. Write or stamp the registration number just below the Registered endorsement, or to the right of the letter R on small articles.

(3) Articles found in ordinary mail. (i) Restore to the registered mail articles

which have obviously already been registered by the Postal Service, originating

in the United States.

(ii) Articles mailed in the United States endorsed to show registration is desired (as distinguished from an article formally registered) and fully prepaid shall be registered and receipt mailed to the sender stating that mail to be registered must be presented at the post office for that purpose. If not fully prepaid, return the article to sender, if known, after indicating thereon that it is short paid and must be presented for registration. If the article bears no return address, cross out the sender's registry endorsement and dispatch as ordinary mail.

(4) Recording and dispatching. Record and dispatch international registered mail so far as applicable at the

mailing office.

- (b) Office of address—(1) Endorsements. Registered articles originating in other countries may bear the letter R and such endorsements as Einschreiben (German), Raccomandata (Italian), Recommandé (French), and Certificado (Spanish). The terms Registrado (Spanish) and Registo (Portuguese) are occasionally used.
- (2) Backstamping. Backstamp international registered mail upon receipt at office of address.

(3) Delivery. Record and deliver international registered mail so far as applicable at the office of address.

- (4) Articles found in ordinary mail. (i) Restore to the registered mail articles originating in other countries and obviously already registered by the postal service.
- (ii) Cross out the sender's registry endorsement and dispatch as ordinary any article of foreign origin without evidence of formal registration.
- (5) Articles unaccounted for after assignment for delivery. Make appropriate record of the available facts when registered mail assigned for delivery is not properly accounted for and file the papers pending receipt of possible inquiry. If inquiry is received from the sender, ascertain from the addressee whether the article was received in regular course. If the, article was not received, make full report promptly to the appropriate postal inspector in charge.

Note: The corresponding Postal Manual part is 242.

#### PART 133-INSURANCE

133.2 Preparation.
133.3 Fees.
133.4 Limits of insurance.
133.5 Marking.
133.6 Malling receipts.
133.7 Return receipts.
133.8 Incoming parcels.

Availability.

Sec.

133.1

AUTHORITY: §§ 133.1 through 133.8 issued under R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372.

#### § 133.1 Availability.

See individual country items in § 168.5 of this chapter for countries where insurance service is available. Except in the case of Canada, insurance service is limited to parcel post.

No. 27-4

#### § 133.2 Preparation.

The general provisions for the preparation of ordinary parcels to other countries apply also to insured parcels.

#### § 133.3 Fees.

For scales of fees, see country items in § 168.5 of this chapter.

#### § 133.4 Limits of insurance.

The maximum amounts for which parcels may be insured are shown under the country items in § 168.5 of this chapter. Parcels may not be insured for more than the declared value of the contents or for more than the maximum amount of indemnity payable in connection with insured parcels for the country concerned. However, if desired, parcels may be insured for a portion of the value of the contents, in which case only the fee covering the amount of insurance desired will be charged.

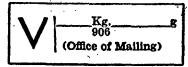
#### § 133.5 Marking.

- (a) By sender—(1) Contents. Parcels containing fragile or perishable articles must be marked "Fragile", "Perishable", "Glass", or "Eggs", as appropriate.
- (2) Insured value. Indicate in United States currency (figures only) in the appropriate space on the Customs Declaration (Form 2966) the amount for which the parcel is insured.
- (b) By post office of mailing. (1) Endorsements and insurance number. (i) On each parcel place the word Insured on the address side, preferably to the left and directly beside the country of destination.
- (ii) Serially number each insured parcel immediately below the Insured endorsement. All international insured parcels must be numbered.
- (iii) To most countries, the insured value of the parcel must be shown on the wrapper and on the dispatch note (Form 2972). See item, Insurance under individual country items in § 168.5 of this chapter as to the type of marking to be shown. Rubber stamp, item R 1300 (284), may be used for this purpose. In some instances the insured value must be shown also in gold francs. Conversion of United States currency into gold francs is made on the basis of 33 cents (approximately) equals 1 gold franc. To determine the gold franc equivalent. multiply the amount in United States currency by 3. For example, \$5.25 is equal to 15.75 gold francs.

#### Italian

VALORE DICHIARATO (VALEUR DÉCLARÉE)

German (Numbers in red)



- (iv) Place the insurance number in the appropriate space on the "Customs declaration" (Form 2966) and on the "Dispatch note" (Form 2972) when the latter form is required.
- (2) Postmarking. Postmark at the time of acceptance. Postmark at all breaks (cuts or torn edges) of any gummed paper strips used in sealing parcels.

#### § 133.6 Mailing receipts.

- (a) Issuance. The postal clerk will issue a receipt for mail accepted for insurance. Each receipt will bear the insurance number. The sender should enter the name and address of the addressee on the receipt and must submit if a claim or an inquiry concerning the parcel is subsequently made.
- (b) Post office procedure. (1) Use the same forms as those prescribed for domestic insured mail, except that Form 3813 "Receipt for Domestic Insured Parcels" (up to \$10.00) shall not be used because all international insured parcels and receipts therefor must be numbered.
- (2) Fill out the original receipt only with ink or indelible pencil and issue to the sender.
- (3) Indicate applicable fee, according to amount of insurance requested, for parcels presented for insurance by Government agencies pursuant to § 111.2(d) (2) (ii) of this chapter.

#### § 133.7 Return receipts.

- (a) Issuance. Return receipts for insured parcels are furnished under the same conditions as apply to registry return receipts, except that no return receipts are furnished for insured parcels to Canada. Post offices will follow the procedure prescribed in § 132.5 of this chapter for return receipts for registered mail.
- (b) Issued in other countries. Post offices will follow the procedure in § 132.5(e) of this chapter for return receipts for registered mail.

#### § 133.8 Incoming parcels.

(a) Identification. Insured parcels originating in other countries may bear such endorsements as Assicurato (Italian), Valeur Déclarée (French), Valor Declarado (Spanish), Asegurado (Spanish), and Wertangabe (German). All such insurance indicia appear very near the insurance number; therefore, numbers alone on parcels are not sufficient basis for concluding that the parcels are insured. A few facsimiles are:

#### Spanish

P	AQUETE PO ASEGURA	
	Kgs	
Valor	declarado .	
<u>.</u>		

#### French

VALEUR DÉCLARÉE

insured mail as prescribed.

Note: The corresponding Postal Manual

#### PART 134--COD MAIL

#### § 134.1 COD mail.

There is at the present time no international COD service.

The corresponding Postal Manual part is 244.

#### PART 135-SPECIAL DELIVERY (EXPRES)

Sec.

135.1 Availability.

135.2 Marking.

135.3 Payment.

Processing.

135.5 Delivery in other countries.

AUTHORITY: §§ 135.1 through 135.5 issued under R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372.

#### § 135.1 Availability.

See Special Delivery under country items in § 168.5 of this country. The service applies to all postal union articles (ordinary and registered, surface and air) unless otherwise indicated. For example, to Canada it applies only to articles paid at the letter rate. Parcel post cannot be sent special delivery but may be prepaid for special handling. (See Part 136 of this chapter.)

#### § 135.2 Marking.

An article intended for special delivery service must have fixed to the cover near the name of the country of destination an Exprès (Special Delivery) label, obtainable at the post office, or it may be marked on the cover boldly in red Exprès (Special Delivery). A facsimile of the label is shown below:

> **EXPRES** Special Delivery POD Label 57

#### § 135.3 Payment.

(a) Fees.

		Weight	
Class of mail	Not more than 2 pounds	More than 2 but not more than 10 pounds	More than 10 pounds
Letters, letter-packages, post cards, and air mail other articles	Cents 30 45	Centa 45 55	Cents 60 70

(b) How paid. Senders may prepay the special delivery fee by special delivery stamps, ordinary postage stamps, or meter stamps. Airmail stamps may be used if the article is to be sent by air. Special delivery stamps may be used only for the payment of the special delivery fee. The special delivery fee must be

(b) Delivery. Deliver international prepaid in addition to the regular postage.

(c) Shortpayment. Insufficiently prepaid articles intended for special delivery which are posted in letter boxes and drops are marked by postmasters "Not in special-delivery mail" and dispatched onward to destination as ordinary mail matter whenever such articles cannot be returned to the sender for the deficiency in fee without seriously delaying the dispatch thereof.

#### § 135.4 Processing.

- (a) Outgoing. (1) Employees at post office windows are to be supplied with the "Exprès (Special Delivery)", Label 57, which is to be given to patrons who desire to use the special-delivery service. The labels must be supplied to specialdelivery dispatching desks also; and when articles placed in post office drops or street boxes are observed to be prepaid for special delivery but do not bear the Exprès label or endorsement, the clerks must place labels on the articles.
- (2) Special-delivery mail is to be dispatched to the appropriate U.S. exchange office.
- (b) Incoming. (1) Foreign special-delivery articles will bear a label, printed in red or on a red background, containing the word "Exprès" or bear the notation "Exprès or Special Delivery" in bold letters.
- (2) Articles bearing United States special-delivery stamps sufficient to cover the domestic special-delivery fee are to be delivered as special delivery mail even though the article does not bear the Exprès label or endorsement.

#### § 135.3 Delivery in other countries.

Delivery is made in the various countries according to the special delivery regulations in force in the country of destination. See § 168.5 of this chapter.

Note: The corresponding Postal Manual part is 245.

#### PART 136—SPECIAL HANDLING

Sec.

Availability. 136.1

136.2 Fees.

Marking 136.3

Treatment.

AUTHORITY: §§ 136.1 through 136.4 issued under R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372.

#### § 136.1 Availability.

The special-handling service for domestic parcel post is available also for parcel post addressed to other countries. The service is optional except in the case of parcels for Canada containing baby (day-old) poultry and honey bees. Special-handling service does not apply to postal union articles.

#### § 136.2 Fees.

Fee Weight (cents) Not more than 2 pounds_____ 25 More than 2 pounds but not more than 10 pounds____ More than 10 pounds

Special-handling fees are in addition to the regular parcel post rate to the country concerned, and may be prepaid by special-handling stamps or by ordinary postage stamps.

#### § 136.3 Marking.

A parcel intended for a special-handling service must be marked or stamped 'Special Handling" immediately above the name of the addressee and must be dispatched to the exchange office in separate sacks bearing those words on the

#### § 136.4 Treatment.

Special-handling parcels are given priority in distribution and disposal over other parcel post packages from the office of mailing to the point of dispatch from the United States. They are dispatched from this country as parcel post by the same vessels carrying letter mails for the countries of address, when practicable. Special-handling parcels do not receive any special treatment in the country of destination.

Note: The corresponding Postal Manual part is 246.

#### PART 137—RECALL AND CHANGE OF **ADDRESS**

Sec. 137.1 Conditions and limitations.

137.2 How to apply.

137.3 Services and fees. 137.4 Mailing receipts.

137.5 Countries not permitting.

137.6 Processing.

AUTHORITY: §§ 137.1 through 137.6 issued under R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372.

#### § 137.1 Conditions and limitations.

The mailer may cause any mail article or parcel addressed for delivery in another country to be withdrawn from the Postal Service, or have its address changed if it can be intercepted in the United States. In case the article has been dispatched from the United States, but not delivered to the addressee, withdrawal or change of address may be effected if:

(a) The country of destination of the article is willing to allow such withdrawal or change of address (see § 137.5 of this chapter).

(b) The article has not been confiscated or destroyed by the authorities of the country of destination as being prohibited importation; or

(c) The article has not been seized under provisions of the domestic legislation of the country of destination.

#### § 137.2 How to apply.

If the article was mailed in a post office, station, or branch, make application there. If it was mailed in a street letter box, apply at the main post office. The mailer must identify himself and submit a written application (on Form 1509 "Sender's Application for With-drawal of Mail" for ordinary or insured mail or 3855 "Application of Sender for Forwarding, Delivery, or Return of Registered Matter After Dispatch" for registered mail) giving a complete description of the article, and the date of mailing. A single form of application may be used for two or more articles which have been mailed together by the

same sender to the same addressee, in § 137.4 Mailing receipts. which case only one fee is charged.

#### § 137.3 Services and fees.

(a) Search at office of mailing. If the article has not been dispatched from the immediate point of mailing, it may be returned or its address may be changed without charge. Otherwise a search can be made at the main post office or other concentration point, provided the mailer pays a fee of 13 cents, whether the search is successful or not. The post office will change the address without charge, but if the article is returned to the mailer, domestic postage will be charged except in the case of letters or post cards, which are returned free of postage. If the mailing office is also the dispatching exchange office, the conditions stated in paragraph (b) of this section will apply.

(b) Search at exchange office. mailer may have a search made for the article at the United States dispatching exchange office if he requests it and pays the fee of 13 cents, unless he has already paid it (see paragraph (a) of this section). If the mailer desires such search to include opening made-up sacks, he must guarantee payment of the cost of opening, searching and closing the sacks, whether his article is located or not. If he wishes the request sent to the exchange office by telegraph, the mailer must pay the cost of the telegram. The exchange office will change the address without charge, but if the article is returned, postage will be charged at domestic rates for its transportation to the exchange office and back to the mailer's address, unless it is a letter or post card which is returned free of postage. The post office will inform the patron of the amount of charges due.

(c) Search in country of destination. A request will be sent to the postal administration of the country of destination to return an article or change its address if the mailer furnishes a facsimile of the address and pays the 13-cent fee, unless he has already paid it (see paragraphs (a) and (b) of this section). If the request is to be transmitted by telegraph or cable, the application must be accompanied with an amount sufficient to pay the telegraph or cable charges. Otherwise the application must be accompanied with additional postage in the amount of 50 cents to cover transmission of the request by registered mail, and with airmail postage if it is desired that it be transmitted to the foreign administration by air. If the mailer wishes to have the foreign administration report by airmail, telegraph, or cable on the result of the action taken, he must furnish the additional airmail postage or an amount sufficient to cover the cost of a prepaid telegraph or cable reply. Any amount remaining after transmitting a telegram or cablegram will be returned to the mailer. Return postage is charged on parcel post packages and 8-ounce merchandise packages but not on other articles returned from other countries. See § 137.5 (c) regarding a statement to be furnished when the article is addressed to a country which does not generally accept requests for recall or change of address.

If the mailer possesses a mailing receipt covering any article which is withdrawn or on which the address is changed, he must surrender it or submit it so that a suitable notation may be made thereon.

#### § 137.5 Countries not permitting.

(a) For postal union mail. The legislation of the following countries does not allow senders of postal union articles to withdraw them from the mail or to change their address: Aden, Australia, Barbados, British Honduras, Brunei, Burma, Canada, Cyprus, Gambia, Gi-bralta, Great Britain and Northern Ireland, Hong Kong, India, Ireland, Leeward Islands (except Antiqua), Malaya, Malta, New Zealand (permits only requests for return), Nigeria, North Borneo, Persian Gulf Ports, Rhodesia and Nyasaland, St. Helena, Sarawak, Seychelles, Sierra Leone, Solomon Islands, Somalia, South-West Africa, Trinidad and Tobago. Union of South Africa, and Windward Islands (except Dominica).

(b) For parcel post. Under the terms of the parcel-post agreements in effect with the following countries parcels cannot be recalled after they have left this service nor can the address be changed. unless the parcels are undeliverable at at the original address: Aden, Barbados, British Honduras, Brunei, Burma, Canada, Cyprus, Gambia, Gilbert and Ellice Islands, Great Britain and Northern Ireland, India, Ireland, Malaya, Nauru, Nigeria, North Borneo, Pakistan, Rho-desia and Nyasaland, Sarawak, Seychelles, Solomor, Islands, Trinidad and Tobago, and Windward Islands.

(c) Applications accepted. Applications involving the countries named in paragraphs (a) and (b) of this section will be received and acted on, subject to the conditions prescribed in § 137.3(c), if the mailer furnishes a written statement giving his reasons for the request. Compliance with the request is discretionary with the postal administration of the country of destination.

#### § 137.6 Processing.

- (a) Requests of United States origin-(1) Before dispatch from the United States. The following procedures apply to both postal union mail and parcel post packages:
- (i) Before accepting an application for recall or change of address, require the applicant to identify himself as the sender or the sender's authorized representative.
- (ii) If the piece is not located at the immediate point of mailing and the applicant desires the search continued, require the sender to submit a written application as prescribed in § 137.2, and collect the 13-cent fee indicated in § 137.3(a) before conducting further search. If the piece is located and is returned to the sender, charge appropriate domestic postage unless it is a letter or post card. If the piece is not located, explain to the applicant the conditions set forth in § 137.3 (b) and

(iii) It is recommended that requests be made to the postal administration of

the country of destination rather than search being made at United States dispatching exchange offices. However, if the applicant desires search made at the exchange office and agrees to the conditions, send a request to the exchange office setting forth the details on the application and the particulars of dispatch to the exchange office, if known.

(iv) If the exchange office returns the piece, collect domestic postage for its conveyance to the exchange office and return, unless it is a letter or post card. If the search included the opening of made-up sacks, the exchange office will inform the post office requesting the search as to the cost, which should also be collected on delivery. The exchange office will likewise advise if the search was unsuccessful

(v) Amounts collected on delivery of returned articles and parcels are accounted for by affixing postage due stamps to the mail articles and canceling.

(2) After dispatch from the United States. If the sender requests that the postal authorities of the country of destination be asked to intercept the piece. collect as prescribed in § 137.3(c) and transmit with the application and facsimile address to the International Service Division, Bureau of Transportation, Post Office Department, Washington 25. D.C.

(3) Sender's mailing receipt. A mailing receipt relating to an article or parcel returned or redirected at the sender's request is to have the action taken noted thereon.

(b) Requests of foreign origin. Post offices may comply with a request for correction of address (without changing the addressee) and forward an article or parcel to the same addressee at another United States post office without previous authorization from the Department. Comply with § 132.4(a) of this chapter in forwarding parcel post packages. If a request is received for redirection of a piece to another country, for return to origin, or for change of addressee, hold the piece and refer the request to the International Service Division, Bureau of Transportation, Post Office Department, Washington 25, D.C.

Note: The Corresponding Postal Manual part is 247.

#### PART 138—CERTIFICATES OF MAILING

Sec. 138.1 Nature and issuance.

138.2

1383 On Treasury Department forms. 138.4 On Agriculture Department forms.

Preparation and payment of fees.

AUTHORITY: §§ 138.1 through 138.5 issued under R.S. 161, as amended, 396, as amended. 398, as amended; 5 U.S.C. 22, 369, 372.

#### § 138.1 Nature and issuance.

The sender can obtain a certificate of mailing at the post office where he mails any postal union article or parcel post package. Certificates of mailing issued for ordinary articles or parcels do not give any right to indemnity or proof of delivery. They are issued on the same forms as are used for domestic mail (see § 55.3 of this chapter), as well as on the

Treasury Department forms mentioned in § 138.3, or the Agriculture Department certificates mentioned in § 138.4 and Part 145 of this chapter.

#### § 138.2 Fees.

(a) Individually listed pieces.

For each piece described

Original certificate for ordinary pos-***************** tal union or parcel post____ Each additional copy of original certificate of mailing or original mailing receipt for registered or insured

(b) Identical pieces of postal union mail.

Certificate covering:

Up to 1,000 (one certificate for total number) Each additional 1,000 pieces, or fraction _____ Duplicate copy_____

#### § 138.3 On Treasury Department forms.

If requested, the sender may receive a certificate of mailing on Treasury Department (Internal Revenue) Form P.T. 26, P.T. 27-A, or 550, certifying that he has waived the right to withdraw the article or parcel from the mail.

#### § 138.4 On Agriculture Department forms.

See Part 145 of this chapter concerning certificates required in connection with the exportation of dried whole eggs and tobacco seed and plants.

#### § 138.5 Preparation and payment of fees.

The mailer must prepare his certificate of mailing and pay the charges in the same manner as prescribed in the domestic servicé (see §§ 55.3, 55.4 and 55.5 of this chapter), regardless of the form on which the certificate is prepared.

Note: The corresponding Postal Manual part is 248.

#### PART 139-MAIL SENT VIA DEPART-MENT OF STATE

139.1 Who may use. 139.2 Mailing conditions.

AUTHORITY: §§ 139.1 and 139.2 issued under R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372.

#### § 139.1 Who may use.

The facilities of the Department of State are available for sending personal mail to authorized United States Government personnel stationed in other countries.

#### § 139.2 Mailing conditions.

(a) Addressing. The following approved form of address should be used:

Name, rank and serial number, if any, Office or title of addressee, Foreign city (Omit name of country), Department of State, Washington 25, D.C.

(b) Classes. Three classes of articles are acceptable—letters, prints and parcel post.

(c) Postage rates. Although the articles are addressed Department of State, Washington 25, D.C., postage must be paid at the international rate to the country where the addressee is located.

(d) Limitations. (1) Letters may be prepaid at the surface or airmail rate, but a letter to be transmitted by air must not exceed 1 ounce in weight. A letter which exceeds this weight limit will be sent by surface means from Washington, D.C., even though airmail postage at the international rate has been paid.

(2) Prints and parcel post are acceptable for surface transmission only, except as provided in paragraph (d) (3) of this section. Parcel post may not exceed 11 pounds in weight. Prints must not exceed 6 pounds, 9 ounces, except that the limit is 11 pounds to those countries having a maximum weight limitation for prints higher than 6 pounds, 9 ounces. (See § 112.4(b) of this chapter.) The maximum size limits for either prints or parcel post are 18 inches in length and 42 inches in length and girth combined. Parcels must be securely and substantially packed.

(3) Airmail packages containing only an emergency supply of prescription medicine or other urgently needed health items, such as prescription eyeglasses, hearing aids, orthopedic shoes, or dentures, may exceptionally be transmitted through Department of State facilities. Senders must mark the wrapper to indicate the nature of the contents. For rapid transmission of other personal packages, senders must use the regular international air service, affixing customs declarations and addressing directly to the recipient in the foreign country.

(4) International postal forms (customs declarations, stickers, etc.) are not required on packages sent through Department of State facilities.

(5) Registration, insurance, and other special services are not available.

(6) Nothing which is generally prohibited in the mail will be accepted. (See §§ 111,3 and 121.5 of this chapter.) In addition, with the exception of the items mentioned in paragraph (d)(3) of this section, cigarettes, tobacco, liquids, perishables, firearms, glass and other fragile articles, as well as parcels intended for delivery to a third person are prohibited.

Note: The corresponding Postal Manual part is 249.

#### SUBCHAPTER O-NONPOSTAL EXPORT REGULATIONS

#### PART 141—SHIPPER'S EXPORT **DECLARATION**

141.1 When required.

141 2 Preparation.

Information to be furnished. 141.3

How obtained. 141.4

Handling and disposal.

AUTHORITY: §§ 141.1 through 141.5 issued under R.S. 161, as amended, 396, as amended. 398, as amended; 5 U.S.C. 22, 369, 372.

#### § 141.1 When required.

Business concerns sending merchandise valued at \$50 and over to other business concerns-

(a) From the United States,1 Puerto Rico, or the Virgin Islands of the United

¹ For the purposes of this instruction the term "United States" refers to the fifty States and the District of Columbia.

States to any foreign country and to the Canal Zone;

(b) From the United States to Puerto Rico and the United States possessions:

(c) From Puerto Rico or the Virgin Islands of the United States to the United States; 1

must fill out a "Shipper's Export Declaration on Department of Commerce Form 7525-V" and present it at the post office at the time of mailing. The Shipper's Export Declaration is required only for goods mailed for commercial purposes and not for goods which involve no commercial consideration. However, Commerce Form 7525-V must also be filed for shipments of all articles covered by a validated export license from the Bureau of Foreign Commerce, Department of Commerce, regardless of value or whether the sender or addressee is a business concern. (See Part 142 of this chapter.) The declaration need not be furnished for catalogs, instruction books, and other advertising matter, or for magazines, newspapers, and periodicals. It is also not required for shipments of technical data, regardless of value and whether or not they are covered by export licenses, except as stated in § 142.3 (c) of this chapter.

#### § 141.2 Preparation.

Only a single copy of the shipper's export declaration is required for mail shipments. A single export declaration may include any number of packages mailed by one sender the same day to one addressee. Export declarations need not be notarized.

#### § 141.3 Information to be furnished.

- (a) The following are the only items on the "Shipper's Export Declaration (Commerce Form 7525-V)" which are required to be filled in by the sender of a postal shipment:
- (1) Item 2. Name of post office where shipment is being mailed. (Insert in space on the form reading From ______ (U.S. port of export).)
- (2) Item 3. Name and address of exporter.

(3) Item 4. Name and address of forwarding agent, if any.

(4) Item 5. Name and address of ultimate consignee.

(5) Item 6. Name and address of intermediate consignee, if any.
(6) Item 8. Country of final destination.

(7) Item 10. Number of packages being mailed; description of merchandise and export license number and expiration date, or general license symbol.

(8) Item 13. Schedule B, commodity number.

- (9) Item 14. Net quantity of merchandise, in Schedule B units.
  - (10) Item 15. Value of merchandise.
- (b) To comply with the destination control regulations of the Commerce Department, each Form 7525-V, "Shipper's Export Declaration" except for shipments addressed to Canada for consumption in that country, must bear one of the following statements:
- (1) These commodities licensed by the United States for ultimate destination

² Virgin Islands of the United States, Guam, Samoa, Canton and Enderbury Islands, Johnston, Midway, Palmyra, and Wake Islands.

(name of country). Diversion contrary to United States law prohibited.

- (2) These commodities licensed by the United States for ultimate destination (name of country) and for distribution or resale in (name of country). Diversion contrary to United States law prohibited.
- (3) United States law prohibits distribution of these commodities to the Soviet Bloc, Communist China, North Korea, Macao, Hong Kong, or Communist controlled areas of Viet Nam and Laos, unless otherwise authorized by the United States.
- (c) The description of contents and units of quantity must be in the detail required by Schedule B, Statistical Classification of Domestic and Foreign Commodities Exported from the United States, 1958 edition. The shipper may obtain copies of Schedule B for a nominal charge from the Superintendent of Documents, Government Printing Office, Washington 25, D.C., from Collectors of Customs, or from Department of Commerce field offices located in the principal cities of the United States. General descriptions, such as dry goods, groceries, millinery, etc., are not sufficient. Quantities and values must be given in whole numbers only, omitting fractions of less than one-half and counting one-half and over as a whole.

#### § 141.4 How obtained.

Occasional shippers may obtain Form 7525-V "Shipper's Export Declaration" free of charge at post offices. Regular exporters may obtain copies of the Shipper's Export Declaration from the Superintendent of Documents, Government Printing Office, Washington 25, D.C., from Collectors of Customs or from Department of Commerce field offices at a cost of 75 cents per block of 100. They may be privately printed, provided they conform to the official form in size, wording, color, quality (weight) of paper stock, and arrangement. Postmasters may obtain supplies for limited distribution to occasional shippers from the Foreign Trade Division, Bureau of the Census, Washington 25, D.C.

#### § 141.5 Handling and disposal.

(a) When a shipper's export declaration is presented at the post office in accordance with § 141.1 of this chapter, postmark it in the lower left corner and send it to:

New York Office, Foreign Trade Branch, Bureau of the Census, Room 434, Customhouse, New York 4, N.Y.

(b) When an export declaration bearing the authentication of a collector of customs is presented at the time of mailing a partial shipment under a validated export license (see § 142.3(e) of this chapter), postmark it and send it to the Bureau of Foreign Commerce, Department of Commerce, Washington 25, D.C.

Note: The corresponding Postal Manual part is 251.

#### PART 142—COMMERCE DEPART-MENT REGULATIONS (COMMODI-TIES AND TECHNICAL DATA)

Sec.

142.1 Scope and applicability.

142.2 General licenses.

142.3 Validated licenses. 142.4 Export control inspe

142.4 Export control inspections.

AUTHORITY: §§ 142.1 through 142.4 issued under R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372,

#### § 142.1 Scope and applicability.

The Bureau of Foreign Commerce, Department of Commerce, controls all exportations, except certain commodities licensed for export by other United States Government agencies, to all countries except Canada. Mailers must inform themselves as to the regulations and comply with them in making any exportations of commodities by parcel post or letter package, and technical data as printed matter, parcel post, or letter package. A brief summary of the regulations as they apply to mail shipments is given in this part. Additional information is available from a Commerce 'Department bulletin entitled "Public Notice-Requirements for Parcels Mailed Abroad" on bulletin boards in first-, second-, and third-class post offices and in classified stations and branches. Mailers desiring further information may make inquiry of the Exporters' Service Section, Bureau of Foreign Commerce, Department of Commerce, Washington 25, D.C., or of any field office of that department. A list of field offices is included in the above-mentioned public notice. Postal employees will not advise prospective mailers as to the type of license applicable to any commodities or to any destination, except that such controls do not apply to Canada.

#### § 142.2 General licenses.

(a) Definition and use. A general license established by the Bureau of Foreign Commerce is not a specific document, but is a general authorization covering exportations within its provisions, each general license being designated by symbol, such as GRO, GLV, GIFT, GUS, etc. A brief description of the general licenses usually employed for mail shipments is given in this section. Further information can be obtained as set forth in § 142.1 of this chapter. When a prospective mailer finds that the contents of his package are properly exportable under a general license, other than G-PUB, GTDP, GTDU or GTDS, he must mark the wrapper with the appropriate symbol and the words "Export license" not required before presenting it at the post office. The postal clerk may accept any package so marked unless the symbol is obviously being misused. The marking certifies that the mailer has complied with the regulations governing the use of the general license denoted by the symbol. No marking is required on wrappers of packages containing printed matter and technical data mailed under general licenses G-PUB, GTDP, GTDU, and GTDS.

(b) Restricted destinations. Commerce Department imposes particular restrictions on exports to Hong Kong. Macao, and the following Soviet bloc countries: Albania, Bulgaria, China Manchuria), (mainland including Czechoslovakia, Estonia, Germany (Soviet Zone including Soviet sector of Berlin), Hungary, Latvia, Lithuania, Rumania, Tibet, U.S.S.R., and Vietnam (Communist-controlled areas). Packages for those countries may not bear any general-license symbol other than GIFT (not permitted to mainland China); GUS; G-PUB; GTDP; GTDS; GHK or GLV (for Hong Kong and Macao); or GLSA (for destinations named in paragraph (g) of this section.

(c) General license GIFT. (1) This license cover's gift packages mailed by or on behalf of an individual sender to an individual addressee for the personal use of the latter or his family or to a religious, charitable, or educational organization. The contents are limited to items normally sent as gifts, such as food, clothing (except military clothing to the Soviet bloc countries shown in paragraph (b) of this section), medicinals, and drugs.

(2) The value of the contents of a package is limited to \$50.

(3) Not more than one gift package may be mailed per week to one addressee under this general license.

(d) General license GUS. This license may be used for shipments to United States Government personnel under prescribed conditions.

(e) General license G-PUB. This license may be used for mailing miscellaneous printed matter to any country. No general license symbol is required on the wrapper.

(f) General licenses GTDP, GTDU, and GTDS for technical data. (1) General license GTDP may be used for mailing technical data generally available in published form to any country.

- (2) General license GTDU may be used for mailing technical data not generally available in published form, except for certain data as specified by the Bureau of Foreign Commerce relating to civil aircraft, parts, accessories and electronic equipment used in connection therewith, and petroleum and petrochemical plants and processes. It may not be used to Poland or any Soviet bloc country listed in paragraph (b) of this section.
- (3) General license GTDS may be used for mailing unclassified scientific and educational technical data under prescribed conditions.

(4) No general license symbol is required on the wrappers of packages mailed under licenses GTDP, GTDU, and GTDS.

(g) General license GLSA. This license may be used for mailing commercial shipments of certain commodities to Albania, Bulgaria, Czechoslovakia, Estonia, Germany (Soviet Zone including the Soviet sector of Berlin), Hungary, Latvia, Lithuania, Rumania, and the U.S.R. except the Maritime Province which comprises the Pacific

coastal region of Siberia from the Bering Strait to and including Vladivostok.

(h) Other general licenses. General license GHK may be used only for shipments to Hong Kong and Macao. Other licenses (GRO, GO, GLV, etc.) may be used for shipments to any country not listed in paragraph (b) of this section, and general license GLV may be used for certain commodities to Hong Kong and Macao.

#### § 142.3 Validated licenses.

(a) Definition and use. A validated license is an individual document issued by the Bureau of Foreign Commerce, authorizing a specific exportation. Further information can be obtained as set forth in § 142.1. Before mailing a ship-ment under a validated license, the sender must put the license number on the wrapper.

(b) Export declaration required. An export declaration (see Part 141 of this chapter) is required for every shipment covered by a validated license, except technical data. However, partial shipments of technical data must comply with paragraph (c) of this section.

(c) Mailing under validated licenses. In making a shipment against a validated license, the mailer must surrender the license at the post office regardless of whether the total quantity shown on the license is mailed. However, if only a part of the licensed quantity is mailed, the mailer may, as an alternative, deposit the license with a collector of customs and surrender at the post office a shipper's export declaration (Commerce Form 7525-V) bearing the number of the license and an authorization dated and signed by the collector or by his representative for shipment of the goods shown on the declaration. This is in addition to the declarations required by Part 141 and paragraph (b) of this section.

(d) Technical data licenses. Licenses issued by the Bureau of Foreign Commerce for exportations of technical data are similar in form to the usual type of validated license, but no shipper's export declaration is required, except for partial shipments (see paragraph (c) of this section).

(e) Processing in post offices.—(1) Entire shipments. The postal employees must see that the correct license number is shown on the wrapper of every package presented for mailing with a validated license. The number appears in the upper right portion of the license, adjacent to the validation stamp of the Bureau of Foreign Commerce. Compare the contents as shown on the customs declaration (or as stated by the mailer in the case of shipments mailed as printed matter) with the commodities stated on the license and on the shipper's export declaration when required. If no discrepancy is noted and the package is mailable, accept it and take the license and export declaration (if required) from the mailer. Write "Completed" on the back of the license and apply postmark. Send the license to the Bureau of Foreign Commerce, Department of Commerce, Washington 25, D.C. Postmark the export declaration and dispose of it as instructed in \$ 141.5 of this chapter.

(2) Partial shipments. When mailer presents an authenticated export declaration with a partial shipment in lieu of a validated license, as prescribed in paragraph (c) of this section, take the authenticated declaration, postmark it and send it to the Bureau of Foreign Commerce. If a validated license is presented with a partial shipment, take it up and dispose of it in the same manner as for an entire shipment.

#### § 142.4 Export control inspections.

Parcels are subject to inspection by United States customs officers at dispatching exchange post offices. If violations of export control are detected, the parcels may be returned or seized by the customs inspectors. Postage is not refunded.

Note: The corresponding Postal Manual part is 252.

#### PART 143—STATE DEPARTMENT REG-**ULATIONS (ARMS AND TECHNICAL** DATA)

143.1 Individual licenses.

143 2 Mailings under license.

143.3 Processing licensed mailings.

143.4 Mailings exempt from license. 143.5 Government shipments.

AUTHORITY: §§ 143.1 through 143.5 issued under R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372.

#### 143.1 Individual licenses.

Exportation of certain arms or implements of war and related technical data requires individual licenses issued by the Office of Munitions Control, Department of State. Firearms of less than .22 caliber and shotguns are exempt. The mailer can obtain information as to the applicability of the State Department requirements and how to apply for individual licenses from the Office of Munitions Control, Department of State, Washington 25, D.C.

#### § 143.2 Mailings under license.

When the entire amount authorized by an individual license is mailed, the sender must surrender the license at the post office. If only a portion of the amount authorized is mailed, the sender must enter on the back of the license the amount being shipped and present it at the post office, where the accepting clerk will postmark it and return it to the mailer.

#### § 143.3 Processing licensed mailings.

(a) When a mailer presents a State Department license, the accepting clerk will compare the commodities or data indicated on the license with the contents as shown on the customs declaration or as stated by the mailer in the case of technical data mailed as printed matter. If no discrepancy is noted, and the contents are mailable under Part 115 of this chapter and not prohibited to the country of destination concerned, the clerk will accept it for mailing. The sender must mark the wrapper "State Department export license No. _____."

(b) If the mailing represents the entire amount authorized, the clerk will take up the license, mark it Completed, apply a legible postmark, and forward it to the Office of Munitions Control, Department of State, Washington 25, D.C.

#### § 143.4 Mailings exempt from license.

Certain technical data which has been published or is otherwise generally available may be exported under State Department regulations without individual license. The mailer must mark the wrapper "22 CFR 125.41 complied with". thus certifying that he has met the State Department requirements and does not require a license. Exportations under this exemption cannot be made to the Union of Soviet Socialist Republics, any Soviet bloc country, China (mainland), or any part of Viet-Nam, Cambodia, or Laos under Communist control.

#### § 143.5 Government shipments.

Shipments mailed by any agency of the United States Government require no license from the Department of State. and no endorsement relating to 22 CFR 125.41 is needed on the wrapper.

Note: The corresponding Postal Manual part is 253.

#### PART 144-TREASURY DEPARTMENT REGULATIONS (GOLD AND GOLD **CERTIFICATES)**

Sec.

License requirements. 144.1

144.2 Gold held by nonresidents.

144.3 Fabricated gold.

Gold coin, bullion, or gold dust.
Where to obtain licenses. 144.4

144.5

AUTHORITY: §§ 144.1 through 144.5 issued under R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372.

#### § 144.1 . License requirements.

A license is necessary to mail gold in any form or gold certificates from the continental United States to any destination outside its limits or from any U.S. post office outside the continental limits to another country, except as provided in §§ 144.2 and 144.3. Moreover, before acceptance, the postmaster at the office of mailing must receive instructions from the Post Office Department, or the Treasury Department, with a copy of the license.

#### § 144.2 Gold held by nonresidents.

Gold in any form other than coin is mailable without a license and specific instruction, if it is not held or owned by a person who is a resident of or domiciled in the continental United States. In such a case the mailer must place on the wrapper of the package and on the shipper's export declaration when required (see § 141.1 of this chapter) a statement that the gold contained therein is held or owned by a person who is not a resident of, or who is not domiciled in, the continental United States.

#### § 144.3 Fabricated gold.

(a) Definition. Fabricated gold is defined by the Treasury Department as processed or manufactured gold in any form (other than gold coin or scrap gold) which has a gold content the value of

which does not exceed 90 percent of the total domestic value of the processed or manufactured gold and which has in good faith and not for the purpose of evading or enabling others to evade the provisions of the Gold Reserve Act of 1934, the act of October 6, 1917, as amended, or the regulations of the Treasury Department, been processed or manufactured for some one or more specific and customary industrial, professional, or artistic uses. Fabricated gold-is to be distinguished from semiprocessed gold, which may be exported only pursuant to Treasury License, and which is defined to include gold articles of which more than 90 percent of the total domestic value is attributable to the gold content thereof.

(b) Mailing restricted. Fabricated gold is acceptable for mailing without being licensed by the Treasury Department and without specific instructions from the Post Office Department. However, the shipper is required to endorse the wrapper of the package with the Bureau of Census Schedule B statistical classification number of each specific commodity contained therein. The shipper's export declaration, when required (see § 141.1 of this chapter) shall contain, in addition to a specific description of the contents of the package, the following notation: Fabricated gold as defined by section 54.4 of the Gold Regulations, being exported pursuant to the authorization contained in section 54.25 (b) (2) of such regulations.

(c) How to determine. To determine whether an article is semi-processed or fabricated gold, the value of the gold content is computed at \$35 per fine troy ounce of gold and the total domestic value is determined on the basis of the cost of the article to the owner and not the selling price. In the case of a manufacturer or processor, the allowable elements of such value are the cost of material in the article, labor performed on the article, and processing losses and overhead applicable to the manufacture or processing of such article. In the case of a dealer or other person who holds or disposes of gold without further processing, total domestic value includes only the net purchase price paid by such person and any transportation costs incurred in obtaining delivery of such article to his usual place of business.

(d) Gold coin made prior to April 5, 1933. Gold coin made prior to April 5, 1933. is acceptable for mailing without being licensed by the Treasury Department and without specific instructions from the Post Office Department. However, the shipper's export declaration, when required (see § 141.1 of this chapter) shall contain, in addition to a specific description of the package, the following notation: Rare gold coin as defined by section 54.20 of the Gold Regulations, being exported pursuant to the authorization contained in section 54.25 (b) (3) of such regulations.

#### § 144.4 Gold coin, bullion, or gold dust.

The acceptance in the postal union mail or parcel post for any country of any consignment of gold coin, gold bullion, or gold dust, having a value in excess of \$100 is prohibited, even though

a license has been granted to export such gold coin, gold bullion, or gold dust.

#### § 144.5 Where to obtain licenses.

The shipper may obtain the forms on which to apply for licenses to export gold from the Bureau of the Mint, Treasury Department, Washington 25, D.C.

Note: The corresponding Postal Manual part is 254.

#### PART 145—AGRICULTURE DEPART-MENT REGULATIONS

145.1 Dried whole eggs.

145.2 Tobacco seed and plants.

AUTHORITY: §§ 145.1 and 145.2 issued under R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372.

#### § 145.1 Dried whole eggs.

(a) Endorsements. When dried whole eggs purchased under a program of the Commodity Credit Corporation, Department of Agriculture, are offered for export by mail, an endorsement must be written or stamped on each package by the sender waiving any right to withdraw it from the mail or have it returned. The endorsement must be properly completed and signed by the exporter or his authorized representative over his title. The parcel post forms accompanying such parcels should be completed by the senders to indicate that the parcels are to be abandoned in case of nondelivery.

(b) Certificates. A certificate in the following form, prepared and completed by the sender, must be presented with the shipment:

CERTIFICATE OF MAILING DRIED WHOLE EGGS
I hereby certify that there has (have) been

posted at this post office today by _____,
(Sender)
_____ parcels containing a total of

parcers containing a total of pounds of dried whole eggs on (Number)
which the sender has waived the right to

which the sender has waived the right to withdraw same from the mails or have same returned.

Parcels addressed to:

(Names and addresses of addressees) (Office stamp)

(Date) (Postmaster)

A single certificate may cover any number of parcels mailed by the same sender

A single certificate may cover any number of parcels mailed by the same sender even though addressed to different countries. A charge of 5 cents will be made for each certificate of mailing issued to the sender, or for each parcel when a single certificate covers more than one parcel. Postage stamps to cover the charge for the certificate of mailing shall be fixed to the certificate and canceled by the postmark of the office of mailing. After postmarking, the certificate will be signed by the postmaster or his authorized representative and returned to the sender.

#### § 145.2 Tobacco seed and plants.

- (a) Permit required. It is unlawful to export any tobacco seed and/or live tobacco plants except in pursuance of a written permit granted by the Secretary of Agriculture.
- (b) Endorsement of package. The sender must mark the wrapper of the

package "Tobacco seed and plant export permit No. _____".

- (c) Surrender of permit. The permit is to be presented by mailer at the time of mailing. It will be postmarked and signed by the accepting postal employee. The permit will be retained by the post office and forwarded to the Tobacco Division, Agricultural Marketing Service, Department of Agriculture, Washington 25. D.C.
- (d) Charges. A charge of 5 cents will be made for each permit presented by the sender and for each package or parcel when a single permit covers more than one parcel. Postage stamps to cover the charge shall be affixed to the permit and canceled by the postmark of the office of mailing.

Note: The corresponding Postal Manual part is 255.

#### PART 146—CONSULAR AND COMMERCIAL INVOICES

#### § 146. 1 Consular and commercial invoices.

Many countries require special documents to be prepared by the sender and either presented by the addressee or enclosed within the package. In some cases, certification by a recognized chamber of commerce in the United States, or legalization by a consulate of the country of destination, or both, are required. The mailer may inquire at the post office for information, or purchase the Directory of International Mail from the Superintendent of Documents, Government Printing Office, Washington 25, D.C. See § 4.2 of this chapter.

(R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372)

Note: The corresponding Postal Manual part is 256.

#### PART 147—DRAWBACK ARRANGEMENT

Sec.

147.1 Description.

147.2 Claiming drawback.

147.3 Obtaining forms.

AUTHORITY: \$\$ 147.1 through 147.3 issued under R.S. 161, as amended, 396, as amended, 398, as amended: 5 U.S.C. 22, 369, 872.

#### § 147.1 Description.

Drawback is an arrangement provided for under the United States Customs Regulations whereby exporters of certain merchandise are entitled to claim a refund of

- (a) The duty paid on imported materials used wholly or in part in the manufacture or production of the articles to be exported, or
- (b) The internal revenue tax paid on domestic material used.

#### § 147.2 Claiming drawback.

(a) Instructions to mailers. Mailers intending to claim drawback on articles exported by mail must present three completed copies of a "Notice of Exportation (Customs Form 7511-A or 7511-B)" with the package or packages. Each package must also bear on the address side a waiver of the right to withdraw it

from the mail. This waiver may be made on customs Form 3413 "Notice of Exportation" and pasted on the wrapper, or may be stamped or written in wording similar to the following:

#### WARNING

#### EXPORTED IN BOND FOR DRAWBACK UNDER N.E. NO.

Must not be returned to shipper or delivered in United States before submission to Collector of Customs.

Shipper _____

We hereby waive our right to withdraw this package from the mail ___ (Shipper's signature)

- (b) Instructions to postmasters—(1) Postmaster's certificate. Postmark and sign the Postmaster's Certificate on the reverse side of Customs Form 7511-A or 7511-B, "Notices of Exportation" after verifying the marks and numbers on the form with those on the package and noting the presence of the sender's signed statement waiving the right to withdraw the package from the mail.
- (2) Disposal of forms. Dispose of completed Forms 7511-A and 7511-B as follows:
- (i) Return one copy to the mailer. (ii) Forward one copy to the collector of customs at the port where the claim is to be filed (shown on the front of the
- form). (iii) Retain one copy as an office record. Dispose of this copy after 3 years.

#### § 147.3 Obtaining forms.

Exporters may obtain Customs Forms 3413 "Notice of Exportation", 7511-A and 7511-B from collectors of customs. A charge of 75 cents per pad is made for the "Notice of Exportation".

Note: The corresponding Postal Manual part is 257.

#### SUBCHAPTER P-IMPORTATIONS PART 151--CUSTOMS

Sec. 151.1

What is subject to examination.

151.2 Separation points.

Examination. 151.4 Repacking.

151.5 Treatment at delivery office.

AUTHORITY: §§ 151.1 through 151.5 issued under R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372.

#### § 151.1 What is subject to examination.

All mail believed to contain merchandise, including returned articles of United States origin, and printed matter are subject to customs examination, except mail addressed to Ambassadors and Ministers of foreign countries and articles known or believed to contain only official documents addressed to officials of the United States Government.

#### § 151.2 Separation points.

- (a) Exchange offices. Articles believed liable to customs duty are submitted immediately to local customs officers or redispatched for customs treatment to designated distribution offices. labeled "Supposed Liable to Customs Duty".
- (b) Distribution offices. Distribution offices will submit articles supposed

liable to customs duty to customs officers as soon as possible after receipt.

(c) Priority treatment of airmail. Airmail articles receive preferential customs treatment and are submitted to customs separately from surface mail. If delivery can be expedited, dispatch will be by air upon return from customs.

#### §151.3 Examination.

(a) Authority to open sealed articles. Sealed letters and letter packages containing merchandise should bear a green label (Form C 1) or an endorsement permitting the customs officer to open the article for examination. In the absence of a label or endorsement, the post office will obtain the addressee's signed authority for opening on Form 2921 "Hold Notice—International Mail". If such authority is not granted within 15 days after the first notice, send a second notice. If no response is received from the second notice after an additional 15day period, endorse the article "Retour Non Réclamé" and return it to origin. Sealed parcel post may be opened without any formality.

(b) Registered and sealed articles. The postmaster or other designated postal employee must be present when registered articles and parcels or sealed letter mail is opened by customs officers for examination. After customs treatment, the postal employee will repack and reseal letter-packages in the presence of the customs officer who participated in the opening. Repack the article in the same or better condition than when it was opened. If the article was received in a special penalty envelope which can be reused, forward the article in that envelope; otherwise reseal the article and apply the official adhesive seal of the Post Office Department. Sign or initial the envelope or wrapper of each article.

(c) Extraction of samples for advisory information. Should a customs officer wish to obtain advisory information from a local trade expert or the Customs Information Exchange, 201 Varick Street, New York 14, N.Y., permit him to extract a sample of the contents. The customs officer will furnish the postal official with two copies of Customs Form 6423, "Notice of Damage, Shortage or Samples retained" one for enclosure in the importation and the other for the post office files. If the sample is to be forwarded to New York, dispatch it under official registration to the New York Postmaster for delivery to the Customs Information Exchange.

(d) Failure to receive customs examination. Should an article known or supposed to be dutiable be observed at or en route to the office of address without having received customs treatment, forward it, labeled For Customs Inspection. under seal to the postmaster at the appropriate office listed in paragraph (e) of this section. Packages which have received customs treatment will bear the endorsements such as Examined by U.S. Customs at _____ Duty to be Collected, Duty Raid, or Passed Free of U.S. Customs at _____

(e) Customs ports. Customs officers are stationed at the following places:

Alabama: Birmingham, Mobile. Alaska: Anchorage, Fairbanks, Juneau, Ketchikan.

Arizona: Nogales.

California: Los Angeles, San Diego, San Francisco.

Colorado: Denver.

Connecticut: Bridgeport, Hartford. District of Columbia: Washington. Florida: Jacksonville, Miami, Tampa.

Georgia: Atlanta, Savannah. Hawaii: Honolulu.

Illinois: Chicago. Indiana: Indianapolis. Kentucky: Louisville. Louisiana: New-Orleans.

Maine: Bangor, Portland, Vanceboro. Maryland: Baltimore.

Massachusetts: Boston, Springfield.

Michigan: Detroit, Port Huron, Sault Ste. Marie

Minnesota: Duluth, St. Paul. Missouri: Kansas City, St. Louis.

Montana: Great Falls. Nebraska: Omaha.

New York: Buffalo, New York, Ogdensburg, Rochester, Rouses Point.

Ohio: Cincinnati, Cleveland, Dayton.

Oregon: Portland.

Pennsylvania: Philadelphia, Pittsburgh. Puerto Rico: San Juan.

Rhode Island: Providence.

Tennessee: Chattanooga, Memphis. Texas: Brownsville, Dallas, Eagle Pass, El Paso, Houston, Laredo, San Antonio.

Vermont: Island Pond, Newport, St. Albans.

Virginia: Norfolk, Richmond.

Virgin Islands: Charlotte Amalie, Christiansted, Frederiksted. Washington: Oroville, Seattle, Spokane,

Tacoma. Wisconsin: Milwaukee.

(f) No examination before payment of duty. Addressees are not permitted to examine the contents of dutiable articles until the duty is paid.

#### § 151.4 Repacking.

(a) Responsibility of customs and postal employees. Customs and postal employees shall-exercise care in examining and repacking the contents of importations, particularly those which contain delicate instruments, glass, china, or other fragile items, liquids, and easily liquefiable substances. Shipments must be restored to their original or better condition. Postal employees accepting articles which have been in customs custody for examination, must determine from external inspection whether the shipment is in condition to safely bear further handling and transportation. If the package is not in satisfactory condition, it will be restored jointly with a customs employee. Employees may be held responsible when damage occurs as a result of négligence or improper handling.

(b) Customs shipments in bad order. Shipments found to be in bad order in transit or at the delivery office must be reconditioned by postal employees. Bad order and evidence of rifling or damage should be noted on the address side of the wrapper over the signature of the

employee.

#### § 151.5 Treatment at delivery office.

(a) Detecting dutiable importations. Postal employees will promptly examine all incoming mail to detect dutiable importations. These articles, in addition to bearing a customs endorsement indicating that duty is to be collected, are

accompanied by original and first copy of Customs Form 3419, "Entry of Merchandise Imported Through the Mails" enclosed in a Treasury Department pen-

alty envelope.

(b) Missing mail entries. Postmasters detecting parcels from which Customs Forms 3419 have become detached will withhold delivery of parcels and forward Form 2937, Importer's Objection and/or Lost Mail Entries, requesting the issuing port of entry to furnish Customs Form 3423, Transcript of Entry of Merchandise Imported Through the Mails. On receipt of Customs Form 3423, collect the duty and process Customs Form 3423 in the same manner as described for Customs Form 3419. If lost Customs Forms 3419 are located at a later date. endorse all copies of this form stating that Customs Form 3423 was used in lieu of missing Customs Form 3419. Return all copies of endorsed Customs Form 3419 to issuing port of entry.

(c) Dispatch to delivery units. Promptly forward dutiable articles to delivery units. Enter registered dutiable mail on appropriate dispatch forms.

(d) Delivery of dutiable mail. (1) Dutiable mail will be delivered by city, village, and rural carriers, and by window delivery units. When the customs charges are collected and delivery is made, obtain the addressee's signature on the original Customs Form 3419 as well as on the required receipt for registered and insured mail where applicable. The delivering employee shall sign the duplicate Customs Form 3419 and give it to the addressee as a receipt.

(2) Charge dutiable packages to carrier on Form 2944, Receipt for Customs Duty Mail. Prepare Form 2944 in triplicate; retain all copies of Form 2944 at post office as record of carrier's accountability. Give carrier both copies of

Customs Form 3419.

(3) Carrier will turn in amounts collected with original signed copies of Customs Form 3419, together with any undelivered packages and their related Customs Forms 3419. Carrier will complete all three copies of Form 2944, sign and hand to clearing clerk who will also sign, clearing the carrier's accountability on the three copies. The clearing clerk will retain the original of Form 2944 for office file and record purposes. The carrier will receive two copies of Form 2944 and will deposit the first copy in the designated box and retain the second copy for 3 months after the last day of month of issue.

(4) When the addressee claims the contents of a package were purchased while he was traveling abroad and are entitled to free entry under his personal exemption, release the package without collection of duty when the addressee surrenders to the delivering employee a completed Customs Form 3351, Release For Unaccompanied Tourist Shipment, on which the description and value of the articles in the package substantially agree with those shown on the Customs Form 3419 accompanying the package. If the addressee cannot produce Customs Form 3351 properly describing the contents of the package but claims the package is free of duty under a tourist

exemption to which he is entitled, release the package without collection of duty on execution By the Addressee of the declaration printed on the reverse side of the duplicate copy of Customs Form 3419. Signature of the addressee on the face of the original Customs Form 3419 is Not required for any packages delivered without collection of duty. After delivery free of duty, give the executed Customs Form 3351, if available, together with both copies of Customs Form 3419, to the clearing clerk. The clerk will determine that all customs and post office regulations have been met and will clear the delivery employee as stated in paragraph (d)(3) of this section. Report the uncollected item as provided in paragraph (f) (1) of this section.

(5) When an addressee objects to the assessed value, rate, or amount of duty charged, request him to state his objection in writing and submit it to the postmaster, together with any evidence substantiating his claim. Inform the addressee where the package will be held, and return it to the clearing clerk awaiting receipt of addressee's written protest. On receipt of written protest, promptly prepare report, in duplicate, on Form 2937 "Importer's Objection and/or Lost Mail Entries". Indicate reason for protest by means of a check  $(\sqrt{\ })$  mark in the appropriate column on Form 2937. Forward original Form 2937, with supporting statements and both copies of Customs Form 3419 to the collector of customs who issued the entry. Retain duplicate of Form 2937 as office file and record copy. The collector of customs at the port of entry will return Customs Form 3419 with instructions for collection or for authorization to deliver without payment of duty. Record the items as provided in paragraphs (e) or (f) (1) of this section, as may be appropriate. An addressee who is dissatisfied with the amount of duty assessed may pay the charges, take delivery of the package, and later file claim for a refund with the collector involved. (6) When delivery cannot be effected

for any reason, including articles covered by paragraph (i) of this section, the package and both copies of Customs Form 3419 will be returned to the post office. Do not detach Customs Forms 3419 from undeliverable package nor enter it on Form 2933, "Register of Uncollected Customs Charges", until the end of the required retention period for such articles. After the retention period has elapsed and decision has been made on disposition of the package, detach Customs Form 3419 and report the item on Form 2933 as outlined in paragraph (f) (1) of this section.

(e) Recording and reporting collections. (1) Post offices making delivery-collection of dutiable articles must maintain a daily record of such collections on Form 2932, Register of Customs Collections, by individual customs port of entry from which dutiable articles are received. Scheduled reporting periods for offices are:

New York City Post Office—daily; Post offices with annual receipts of \$1 miltion and more—weekly for period Saturday through Friday;

- All other offices—by postal accounting period.
- (2) Prepare Form 2932 in quadruplicate as follows:
- (i) Heading of form. (a) Enter name of city and State for post office in block provided at top of form.
- (b) Show 4-digit district and port of entry number in space "a" in upper right corner block. (This 4-digit control number is the number prefixed by the letters DP shown on each Customs Form 3419 "Entry of merchandise imported through the mails" accompanying a dutiable article.)
- (c) In space "b", indicate the postal accounting period (1-13) in which the delivery-collection is effected.
- (d) Enter post office numbers and
- (e) Number the registers in ascending numerical order in which they are prepared. Do not maintain a separate series for each port of entry. A register for one port of entry may consist of several sheets. Number each sheet consecutively in space provided, beginning with 1 for first sheet. Enter the same register number on all sheets of the register for the reporting period for a particular port of entry.
- (f) Enter postal region number (1 through 15) for your office.
- (g) Fill in space "f" on final sheet only, showing total entries for all sheets of the register for the reporting period.
- (h) Fill in space "g" on final sheet only, showing total amount for all sheets of the register for the reporting period.
- (ii) Body of form. (a) Beginning with item 1, list the 6-digit serial number and amount of customs duty collected as shown on individual Customs Forms 3419. Do not skip or leave blank spaces when recording entries on Form 2932, Record Collections Daily.
- (b) After posting all entries, verify daily, so that amounts posted on Form 2932 for each customs port of entry equal the total amounts for all related Customs Forms 3419.
- (c) Maintain register, Form 2932, to the end of the scheduled reporting period shown in paragraph (e) (1) of this section.
- (d) Complete and certify bottom blocks of Form 2932 on final sheet only. Address form to city and State of collector of customs for applicable port of ontry.
- (3) Distribute Form 2932 copies as follows: original (white) to regional controller; second (pink) and third (blue) to applicable collector of customs. Retain fourth (white) copy in preparing office for reference purposes.
- (4) Mail Forms 2932 to regional controller separately from Statement of Accounts. Endorse envelope in lower left corner "Customs Collections—Forms 2932."
- (f) Uncollected items—(1) Reporting. Complete Forms 2933, Register of Uncollected Customs Charges, in duplicate, for each port of entry from which parcels are received. Prepare on weekly basis. Enter on Form 2933 all uncollectible items shown on Customs Forms 3419. List each Customs Form 3419 by serial

number and amount, and show reason for noncollection. Each Monday, forward original of Form 2933 for prior week with supporting Customs Forms 3351, other statements, and original and duplicate copies of related Customs Forms 3419 to the applicable port of entry. File a copy of Form 2933 for refer-

ence purposes.

(2) Past-due entries. When the issuing customs port of entry does not receive a report of disposition of dutiable article, the collector of customs will forward an inquiry to the postmaster on Customs Form 3423, Transcript of Entry of Merchandise Imported Through the Mails, in duplicate, requesting information on the disposition of entries involved. On receipt of Customs Form 3423, postmaster will make a search for Customs Form 3419; if form is located, return both copies of Customs Form 3423 to port of entry with notation that the entry will be accounted for in the usual manner when collection is effected, or note on Customs Form 3423, the control number of the register, Form 2932, on which the entry was reported. When search fails to locate record of Customs Form 3419 or related package, notify the collector of customs accordingly.

- (g) Refund of duty—(1) Duty not refundable by Postmasters. Amounts collected on customs mail entry forms are not refundable by postmasters. An addressee who requests a refund of duty shall make application therefor to the collector of customs at the port of entry within 30 days from the date of entry. It is suggested, if refund is claimed on account of damage, that the article beforwarded to the collector with the application. If the addressee wishes to abandon the article to the Government. he should include a statement to that effect in his application. In case the addressee also intends to file a claim for indemnity with the Post Office Department, he shall, before taking the above action, present the contents, container and complete wrapping to the postmaster for the inspection prescribed by the international indemnity application Form 2855.
- (2) By customs service. Refund of duties paid will be made by the Customs Service if merchandise covered by a mail entry representing 5 percent or more of the total value of all of the merchandise of the same class or kind entered in the invoice in which the item appears is abandoned and delivered to the collector of customs where the entry was made within 30 days after the date of entry.
- (3) On returned merchandise. Refund of duties paid less 1 per centum will also be made by the Customs Service if merchandise covered by a mail entry and found not to conform to sample or specification or shipped without the consent of the consignee is, within 90 days from the date of delivery, returned to customs custody for exportation, unless the Secretary of the Treasury authorizes in writing a longer time. The postal charges incident to returning the merchandise to the sender must be paid by the addressee.
- (4) No duty refund in certain cases. When an addressee requests delivery of

parcel post packages to be made at his residence or place of business after the customs duty thereon has been paid at the post office, attention is called to the circumstances that the Treasury Department has declined to refund the duty in such cases when the goods become lost between the post office and the addressee's residence or place of business, and that if there should be any loss there is no appropriation available from which the Post Office Department could make reimbursement for the amount of duty

(h) Duty-(1) Rates. Patrons desiring information concerning rates of duty on articles imported into the United States, or other customs procedure, should communicate with the appropriate customs officer, located at various points throughout the country, or with the Commissioner of Customs, Treasury Department, Washington 25, D.C. The publication United States Import Duties (1958) on sale by the Superintendent of Documents, Government Printing Office, Washington 25, D.C., may be of interest to persons who import merchandise.

(2) Prepayment. No provision is made for the prepayment abroad of customs duty on mail shipments addressed for delivery in the United States.

- (3) On articles repaired abroad. If an article is sent abroad for repair or alteration, the entire article may be subject to payment of regular duty when it is returned unless the sender submits it to a customs officer for the issuance of a certificate of registration.
- (i) Forwarding or returning dutiable mail—(1) Forwarding within the United States. Dispatch package as prescribed in § 114.3(a) of this chapter (for postal union articles) or § 122.4(a) of this chapter (for parcel post). Allow the Customs Forms 3419 to remain attached to the redirected package in its original envelope, which is also redirected to the new address. Prepare a single copy of Form 3814, Record of COD Parcels Held for Delivery, showing name of addressee and forwarding address. In Bin No. block on Form 3814, enter the 6-digit serial number from related Customs Form 3419. Post this serial number also to Form 2937 appropriately amended to show it relates to a package forwarded to another United States post office. Forward Form 3814 to collector of customs with related Form 2937.
- (2) Forwarding to another country. See § 114.3(b) of this chapter concerning forwarding of postal union articles and § 122.4(c) and (d) of this chapter concerning forwarding of parcel post. When a dutiable package is entitled to be forwarded to another country, detach the Customs Forms 3419 and endorse both copies "Addressee moved outside jurisdiction of the United States". Enter serial number on Form 2933 and return both copies of Customs Form 3419 to collector of customs with related Form 2933. (See paragraph (f) of this section.)
- (3) Return to sender. When a dutiable package is to be returned to the sender, detach the Customs Forms 3419. endorse them "Refused, Unclaimed", etc., and enter serial number on Form 2933. Return both copies of Customs Form

3419 to the collector of customs with the related Form 2933. (See paragraph (f) of this section.)

Note: The corresponding Postal Manual part is 261.

#### PART 152-PROHIBITED OR RESTRICTED ARTICLES

Sec 152.1

Examination of sealed letters believed to contain prohibited matter.

152.2 Disposal of mailable matter.

Disposal of prohibited matter.

152.4 Report of customs seizure.

AUTHORITY: §§ 152.1 through 152.4 issued under R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372.

#### § 152.1 Examination of sealed letters believed to contain prohibited matter.

Mail of foreign origin is scrutinized at the exchange office of first receipt for the presence of prohibited matter. there is reason to believe that prohibited matter is contained in a sealed letter, the exchange office will endorse the cover "Supposed To Contain Matter Prohibited Importation" and forward it to the post office of destination. Letters received bearing such endorsement, or any foreign letter not so endorsed but suspected of containing prohibited matter, shall be held and treated as follows:

(a) Complete and mail Form 2921, Held Notice-International Mail, to the addressee requesting that he appear and open the letter in the presence of the postmaster or his authorized representative, or furnish written authority to open the letter for examination of its contents. The form may be endorsed "Lottery Matter" when it is believed to contain such matter. If the volume of such mail or other considerations warrant, an explanatory letter may be sent to the patron in lieu of Form 2921.

(b) If the addressee fails to appear or respond, endorse the cover of the letter "Retour-Non Reclame" and return,

unopened, to its origin.

(c) When authorization to open is given, the examination shall take place in the presence of the addressee; or in the presence of two designated postal employees when the addressee has authorized such opening.

#### § 152.2 Disposal of mailable matter.

If the contents are found to be mailable and the examination is in the presence of the addressee, turn over immediately. to the addressee. If the addressee is not present deliver the letter to the addressee under official cover in regular course.

#### § 152.3 Disposal of prohibited matter.

Letters found to contain prohibited matter shall be disposed of as follows:

(a) Transmit lottery matter to the local postal inspector in charge.

(b) Report contraceptive and other prohibited matter to the General Counsel of the Post Office Department with a sample of the contents, and await instructions as to disposition.

#### § 152.4 Report of customs seizure.

When a seizure is made by Customs of matter found to be prohibited importation, falsely declared, or otherwise im-

ported contrary to law, the customs officer will notify the addressee and the postmaster at the delivery office. If the report relates to ordinary (unregistered or uninsured) mail, file it for further reference in case an inquiry is received. If it relates to registered or insured mail. make appropriate record of the seizure in case a claim is filed for indemnity, and send the report to the International Service Division, Bureau of Transportation, Post Office Department, Washington 25, D.C., for attention with the postal administration of the country of origin.

Note: The Corresponding Postal Manual part is 262.

#### PART 153—PLANT QUARANTINE INSPECTION

Sec. 153.1 What is subject to inspection. 153.2 Segregation.

AUTHORITY: §§ 153.1 and 153.2 issued under R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372.

#### § 153.1 What is subject to inspection.

All mail articles containing plants or plant products are subject to plant quarantine inspection.

#### § 153.2 Segregation.

(a) Exchange offices. Submit packages containing plant material to the local plant quarantine inspector. Dispatch packages bearing a yellow and green special-mailing tag and those addressed to the Department of Agriculture, Plant Quarantine Division to the quarantine station to which directed.

(b) Distribution offices. Submit packages containing plant material to a quarantine inspector at the most accessible of the offices mentioned in paragraph (g) of this section. Dispatch under seal addressed to the postmaster marking "For plant quarantine examination"

(c) Plants admitted without restriction. Plants and plant products ordéred by, intended for, and addressed to the Plant Quarantine Division, or the Crops Research Division, Department of Agriculture, Washington 25, D.C.

(d) Plants admitted under restrictions. Except for those listed in paragraph (e) of this section as prohibited, and some which are importable by private individuals, most plants and plant products are admitted under various restrictions. For information, patrons should address inquiries to the Department of Agriculture, Agricultural Research Service. Plant Quarantine Division, Washington 25, D.C.

(e) Plants prohibited—(1) Cuttings, buds, cions, etc. Subject to some exceptions, importation by mail is prohibited from all countries and localities, of all plants, including cuttings, buds, cions, bulb roots, tubers, seeds, etc.; fruits and vegetables in the raw or unprocessed state; and other plant products.

(2) Plants and plant products as packing materials. Except in special cases where preparation, processing, or manufacturing are judged by an inspector of the United States Department of Agriculture to eliminate a risk of carrying injurious insects and diseases, the importation as packing material is prohibited of rice straw, hulls and chaff; cotton and cotton products; sugarcane, including bagasse; bamboo leaves and small shoots; leaves of plants; forest litter; soil with an appreciable admixture of vegetable matter not therein provided for by regulation; and all parts of corn and allied plants, except from Mexico and the countries of Central America. the West Indies, and South America.

(f) Failure to receive quarantine inspection. Should a package containing plant material be observed at or en route to the office of address without having received quarantine inspection, forward it under seal to the postmaster at the most accessible of the offices, mentioned in paragraph (h) of this section. Mark "For plant quarantine examination".

(g) Inspection stations. Inspectors of the Plant Quarantine Division, Department of Agriculture, are stationed at the following offices:

Agana, Guam Atlanta, Ga. Baltimore, Md. Baton Rouge, La. Blaine, Wash. Boston, Mass. Brownsville, Tex. Buffalo, N.Y. Calexico, Calif. Charleston, S.C. Charlotte Amalie,

V.I. Chicago, Ili. Christiansted, V.I. Cleveland, Ohio Corpus Christi, Tex. Dallas, Tex. Del Rio, Tex. Detroit, Mich. Douglas, Ariz. Dover, Del. Eagle Pass, Tex. El Paso, Tex. Galveston, Tex. Hidalgo, Tex. Hilo, Hawaii. Hoboken, N.J. Honolulu, Hawaii. Houston, Tex. Jacksonville, Fla. Kev West, Fla.

Laredo, Tex. Memphis, Tenn. Miami, Fla. Mobile, Ala. New Orleans, La. New York, N.Y. Nogales, Ariz. Norfolk, Va. Pensacola, Fla. Philadelphia, Pa. Port Arthur, Tex. Port Everglades, Fla. Portland, Oreg. Presidio, Tex. Roma, Tex. St. Albans, Vt. St. Paul, Minn. San Antonio, Tex. San Diego, Calif. San Francisco, Calif. San Juan, P.R. San Luis, Ariz. San Pedro, Calif. San Ysidro, Calif. Savannah, Ga. Seattle, Wash. Tampa, Fla. Washington, D.C. West Palm Beach, Fla. Wilmington, N.C.

Note: The corresponding Postal Manual 'part is 263.

#### SUBCHAPTER Q-INQUIRIES, INDEMNITIES, AND REFUNDS

#### PART 161-INQUIRIES AND **COMPLAINTS**

Sec. Inquiries encouraged. 161.1

161.2

Nondelivery.
Incomplete return receipts. 161.3

161.4 Charges for inquiries.

161.5 Processing.

Parcels found in mail devoid of contents.

AUTHORITY: §§ 161.1 through 161.6 issued under R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372.

#### § 161.1 Inquiries encouraged.

Patrons are urged to report losses. nondelivery or mistreatment of mail, as these reports may serve to improve the postal service. Inquiries and complaints are to be made at or addressed to the local post office. They are accepted within one year, counting from the day following the date of mailing.

#### § 161.2 Nondelivery.

If an article has failed to reach the addressee within a reasonable time, after it should in regular course have been delivered, the post office will, upon request, institute an inquiry with the foreign postal administration. Inquiry may be made even though the article was mailed in another country. If the sender is unable to submit the registry (mailing) receipt in the case of a registered article, he must make complaint at the office of mailing.

#### § 161.3 Incomplete return receipts.

If the sender receives back a return receipt not properly completed (see § 132.5(d) of this chapter), the receipt with the complaint is transmitted to the International Service Division, Bureau of Transportation, Post Office Department, Washington 25, D.C.

#### § 161.4 Charges for inquiries.

(a) When applicable. No charge is made for an inquiry or complaint concerning the nondelivery of a piece of international mail if the sender has failed to receive a return receipt for which the required fee was paid or if he can show that loss or other irregularity has occurred apparently through fault of the Postal Service. Such a showing is satisfied either by exhibiting a letter from the addressee a reasonable time after the article involved would normally have been delivered; or satisfactorily explaining the failure to exhibit such a letter or report. Otherwise, a charge of 20 cents is made, postage stamps to cover the fee being affixed to the inquiry form and canceled. The inquiry or complaint is transmitted by airmail where practicable.

(b) When several articles involved. Only one fee is collected for inquiries or requests for information concerning several articles mailed simultaneously by the same sender to the same addressee.

(c) Telegraph inquiry. If the sender desires that the inquiry be sent by telegraph or cable, it must be accompanied with an amount sufficient to pay the telegraph or cable charges, and if a reply by telegraph or cable is desired, the sender must pay the charges both ways.

#### § 161.5 Processing.

(a) Mail exchanged with Canada—(1) Registered and ordinary—(i) Mailed in United States. (a) Inquiries as to disposition or complaints or loss are reported on Form 1510 "Complaint for loss or rifling of mail". Enter dispatch particulars (except ordinary parcels) from mailing office on back of the form, and send it to the postmaster at the office of address in Canada.

(b) Complaints of rifling, damage, delay, or wrong delivery are reported on Form 1510, suitably altered, to the postal inspector in charge of the division in which the office of mailing is located, with the envelope or wrapper. available.

(ii) Mailed to United States. (a) Inquiries as to disposition or complaints of loss are reported on Form 1510 and sent to the postmaster at the office of mailing in Canada. If the registry receipt is not available, ask the complainant to have inquiry made at the office of mailing.

(b) Complaints of rifling, damage, delay, or wrong delivery are reported on Form 1510, suitably altered, to the postal inspector in charge of the division in which the office of address is located with the envelope or wrapper, if available.

(c) Inquiries of Canadian origin. Post offices will return Canadian inquiries, appropriately endorsed with the result of their findings, to the point in Canada from which received. If loss of mail to or from Canada is disclosed, report the matter on Form 1510 to the postal inspector in charge of the division in which the office of mailing or destination is located. In the case of mail from Canada, the necessary information should be obtained from the Canadian inquiry form before it is returned.

(2) Insured parcels—(i) Mailed in
United States—(a) On inquiries as to
disposition, complete Form 2855 "Claim
for indemnity International Insured
Mail" and send to the postmaster at the
office of address in Canada. If delivery
is disclosed, the endorsed form will be
returned to the office of mailing. If loss
or rifling is disclosed, the Canadian offi-
cials will send the form to the Post-
master, Chicago 7, Illinois. Should a
form disclosing loss or rifling be sent by
mistake to the postmaster at the office
of mailing, send it promptly to the Post-
master in Chicago.
(b) On complaints of prima facie loss,

rifling, damage, delay, or wrong delivery, complete Form 2855 and send to the Canadian District' director of Postal Service in the province in which the office of address is located, as follows:

Provinces: Alberta Calgary, Alberta, Canada.

British Columbia Vancouver, British Columbia, Canada.

Mackenzie Territories Edmonton, Alberta, Canada. Manitoba Winnipeg, Province of Manitoba, Canada.

New Brunswick St. John, New Brunswick, Canada.

Newfoundland (including Labrador) St. John's Newfoundland, Canada. Nova Scotia_____ Halifax, Nova Scotia, Canada. Ontario _____ Toronto, Ontario, Canada. Prince Edward Island Saint John, New Brunswick, Canada. Quebec _____ Saskatchewan _____ Saskatoon, Saskatchewan, Canada. Yukon Territory...... Vancouver, British Columbia, Canada.

Location of district directors Montreal, Province of Quebec, Canada.

If the complaint is one of loss or rifling, also complete Form 1510, showing on what date Form 2855 was sent to Canada, and send it to the postal inspector in charge of the division in which the office of mailing is located.

(c) If application for indemnity is received on Canadian Form 43A, bearing information supplied by the addressee and the Canadian Postal Service for damage or rifling, complete the Form 43A, in lieu of Form 2855, "Claim for Indemnity—International Insured Mail," and forward to the Postmaster, Chicago

7, Illinois.

(ii) Mailed to United States. (a) If a complaint of loss, rifling, delay or wrong delivery originates in the United States, complete Form 1510 and send parts II and III of the original to the postmaster at the mailing office in Canada together with the packing of the parcel if available. If the packing has been destroyed or otherwise disposed of, the complaint shall be endorsed accordingly. If complaint is of loss or rifling send a copy of part II of Form 1510, endorsed to show disposition of the original to the postal inspector in charge of the division in which the office of destination is located.

(b) Upon receipt of a Canadian indemnity form, it shall be properly com-pleted and returned to the Canadian District Director of Postal Service from whom the form was received. Where obtainable in cases of rifling or damage, the packing of the parcels shall be transmitted to the Canadian Administration with the indemnity form. If the packing has been destroyed or otherwise disposed of, the form shall be endorsed accordingly.

(b) Mail exchanged with countries other than Canada—(1) Registered mail—(i) Mailed in United States—(a) Inquiries as to disposition or complaints of loss. First- and second-class offices report on Form 542 and third- and fourth-class offices on Form 1510. In-sert particulars of dispatch from the office of mailing and send form to the postal inspector in charge of the division in which the office of mailing is located.

(b) Complaints of rifling, damage, delay, or wrong delivery. Report on the same form and process as prescribed in paragraph (a) (1) (i) (b) of this section.

(ii) Mailed to United States—(a) Inquiries as to disposition or complaints of loss. Report on the same forms as prescribed in subdivision (i) (a) of this subparagraph, with the certificate of mailing, if available, to the postal inspector in charge of the division in which the office of address is located. If the registry receipt is not available, ask the complainant to have inquiry made at the office of mailing.

(b) Complaints of rifling, damage, delay, or wrong delivery. Report on the same form and process as prescribed in paragraph (a) (1) (ii) (b) of this section.

(2) Insured mail—(i) Mailed in United States—(a) Inquiries as to disposition (as distinguished from prima facie loss) and delay. Report on the same forms and process as prescribed in paragraph (a) (1) (i) (a) of this section, except report complaints of delay as prescribed in paragraph (a) (1) (i) (b) of this section.

(b) Prima facie loss, rifling, damage, or wrong delivery. Report on Forms 2855 and 1510, suitably altered, and accompanied with the correspondence re-

ceived by sender from the addressee on which the complaint is based. Send the forms to the postmaster at the appropriate adjusting exchange office shown in § 162.2(f) of this chapter.

(ii) Mailed to United States—(a) Inquiries as to disposition (as distinguished from prima facie loss) and delay. Report on the same forms and process as prescribed in paragraph (b)(1)(i)(a) of this section, except report complaints of delay as prescribed in paragraph (a) (1) (ii) (b) of this section.

(b) Prima facie loss, rifling, damage, or wrong delivery. When complaint is made at the office of address, enter the mailing particulars on Form 2855, complete declaration of postmaster-office of address portion, and obtain declaration of addressee. Forward the form and any related papers, including the cover, to the postmaster at the appropriate adjusting exchange office shown in § 162.2(f) of this section.

(3) Ordinary mail, mailed in or to United States—(i) Inquiries as to disposition or complaints of loss. Report on Form 541 (postal union mail) or 540 (parcel post mail) by first- and secondclass offices, and on Form 1510 by thirdand fourth-class offices to the postal inspector in charge of the division in which the office of mailing or address is located.

(ii) Complaints of rifling, damage, delay, or wrong delivery. Report on Form 1510, suitably altered, to the postal inspector in charge of the division in which the office of mailing or address is located, with the envelope or wrapper, if available.

#### § 161.6 Parcels found in mail devoid of contents

Report on Form 673, Report of Rifled Parcel.

NOTE: The corresponding Postal Manual part is 271.

#### PART 162—INDEMNITY CLAIMS AND **PAYMENTS**

162.1 Initiation and proof of claims.162.2 Indenmity payments.

AUTHORITY: §§ 162.1 and 162.2 issued under R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372.

#### § 162.1 Initiation and proof of claims.

(a) Forms to be used. Postmasters will supply patrons with the proper forms to be used in applying for indemnity stipulated in § 162.2 for insured and registered mail of United States origin.

(b) Documents to accompany claims. Claimants must submit the report from the addressee on which the claim is based and any evidence of value, or cost of repairs such as purchase receipts or invoices.

#### § 162.2 Indemnity payments.

(a) Registered postal union articles-(1) Canada. Indemnity may be paid not to exceed \$25.00, based on actual value, for loss (contents and wrapper) in either Canada or the United States and for damage or rifling of contents when responsibility rests with the United States.

(2) PUAS countries (see § 101.2 of this chapter) except Canada. Indem-

nity may be paid in any amount claimed not exceeding \$3.27 for loss (contents and wrapper), regardless of value; and, when responsibility rests with the United States only, not exceeding \$3.27 on the basis of actual value for damage or rifling of contents (including instances where money in cash, bank notes, or values payable to bearer are prohibited by international agreements).

(3) Great Britain and Northern Ireland and Switzerland. Indemnity may be paid in any amount claimed not exceeding \$8.17 for loss (contents and wrapper), regardless of value; and, on the basis of actual value, irrespective of country responsible, for rifling or total damage of an article in a registered packet, but not exceeding \$8.17. If United States responsibility, payment may also be made for partial damage, but not exceeding \$8.17.

(4) All other countries. Indemnity may be paid in any amount claimed not exceeding \$8.17 for loss (contents and wrapper), regardless of value; and, when responsibility rests with the United States only, not exceeding \$8.17 on the basis of actual value for damage or rifling of contents (including instances where money in cash, bank notes, or values payable to bearer are prohibited by international agreements).

(b) Registered parcel post—(1) Cape Verde Islands and Portuguese West Africa. Indemnity may be paid up to \$16.33, based on actual value, for loss, rifling, or damage.

(2) Cuba. Indemnity may be paid up to \$10 for loss (contents and wrapper), based on actual value.

(3) Ecuador. Indemnity may be paid up to \$50.00, based on actual value, for loss, rifling, or damage, in accordance with the registry fee paid.

(4) Other countries. Although parcels may be registered to Belgian Congo, Bermuda, British Honduras, Jamaica, Trinidad and Tobago, and Turks Islands, there is no provision for payment of indemnity in case of loss, rifling or damage of such parcels.

(c) Insured parcel post—(1) General provisions. Indemnity may be paid for loss, rifling, or damage, based on actual value, in accordance with the insurance fee paid.

- (2) Forwarded or returned to third country. The mailer may be paid only such indemnity for loss, rifling, or damage occurring after redispatch by the original country of address to a third country as the country in which the mistreatment occurred is willing or obligated to pay under any agreement between the countries involved.
- (3) Canada. Indemnity may be specially paid as provided in paragraph (c) (1) of this section for loss, rifling, or damage of insured parcels addressed to Canada containing articles prohibited insurance. See country item Canada in § 168.5 of this chapter.
- (4) Bahamas. Indemnity may be paid up to \$165 for loss (contents and wrapper) or rifling based on actual value.
- (d) Principal exceptions.—Indemnity may not be paid:

- (1) In excess of the value of the contents of an insured or registered parcel or greater than that corresponding to the actual amount of loss, rifling, or damage referred to in paragraphs (a), (b), and (c) of this section, except in the case of loss of registered postal union mail. Allowance must be made for depreciation or for needed repairs, and, in the absence of purchase receipts or invoices, the contents must be described in sufficient detail.
- (2) For damage to postal union registered articles or partial or complete loss, or rifling of the contents of postal union registered articles, except as stated in paragraph (a) of this section.
- (3) As a rule, in case of parcels reported by other countries as having been delivered without external trace of rifling or damage and accepted without reservation as to the condition of the contents.
- (4) When it is established that delivery was made under the conditions prescribed by the domestic regulations of the country of destination for mail of the same kind, or, upon presentation of a regular postal identity card.
- (5) When loss, rifling, or damage has been caused by the fault or negligence of the sender or the addressee or the representative of either, such as failure to endorse the parcel conspicuously to show the nature of the contents, or, to provide adequate packing for the length of the journey and for the protection of the contents.
- (6) When an article or parcel cannot be accounted for in consequence of the destruction of service records through force majeure:
- (7) When the contents are prohibited, except as stated in paragraphs (a) (2), (a) (4) and (c) (3) of this section.
- (8) When the claimant, with intent to defraud, shall declare the contents of a parcel to be above their real value.
- (9) For an article or parcel seized by the customs.
- (10) In the case of parcels which contain matter of no intrinsic value or matter which did not conform to the stipulations of the conventions applicable, or which were not posted in the manner prescribed. However, in the event of loss, rifling, or damage in this country of mail erroneously accepted for insurance to other countries, limited indemnity may specially be paid as if it had been addressed to a domestic destination, i.e., on the basis of the indemnity limits for domestic insured mail. If erroneously accepted as registered mail limited indemnity may be specially paid under the conditions in paragraph (a) of this section. If postage was erroneously collected at other than parcel post rates, but the parcel was otherwise properly accepted for insurance, indemnity may specially be paid under paragraph (c) of this section.
- (11) For indirect loss or loss of profits in the case of parcels.
- (12) When no inquiry or application for indemnity has been made by claimant or his representative within a year commencing with the day following the posting of the article or parcel. In the case of insured mail with Canada, how-

ever, the time limit may be waived when it is satisfactorily established that the delay was unavoidable and not the fault of the claimant.

(13) For damage which results from the inherent vice or quality of the contents, that is, its inability, due to its nature, to withstand the ordinary incidents of the contemplated carriage.

(14) When full compensation or reimbursement has otherwise been made by the Post Office Department or by any outside firm or corporation whatsoever except on a pro rata basis as coinsurer.

- (15) For sentimental values arising from association of articles. Also, in the absence of a complete description, the claimant must satisfactorily establish the ordinary market value at the time of mailing, particularly in the case of heirlooms or antiques.
- (16) For an amount in excess of the maximum prescribed for the insurance or registry fee paid unless responsibility rests with the United States and it shall be shown to the satisfaction of the Postmaster General that the mailer was charged a fee less than that required to cover the amount of indemnity desired. through error on the part of the Postal Service. Upon such a showing, the deficiency in fee may be collected from the mailer and postal indemnity paid within the limit fixed for the higher fee. If full or partial responsibility rests with the other country and the mailer requested full coverage at the time of mailing, but a deficient and unauthorized insurance fee was collected, he may be paid for full value, less the amount of the deficient fee, but not exceeding the limit fixed for the appropriate insurance fee.
- (17) For loss of articles registered free.
- (18) When evidence of insurance coverage has not been presented.
- (e) When to be instituted. Claims for indemnity involving international registered or ordinary mail, as well as insured mail for which inquiry concerning disposal has been made, shall be instituted only upon instructions from the Postal Inspection Service, except where otherwise specifically provided for in § 161.5 (a) (2) (i) of this chapter for insured mail to Canada.
- (f) Adjusting exchange offices. Indemnity claims relating to international insured or registered mail shall be adjudicated and approved by the adjusting exchange office for the country involved as indicated below.

NEW YORK 1, N.Y.

Europe. Lebanon.
Africa. Pakistan.
Afghanistan. Saudi Arabia.
Iran. Syria.
Iraq. Turkey.
Israel. Yemen.
Jordan.

NEW ORLEANS 12, LA.

Central and South America. Mexico.

West Indies.

CHICAGO 7, ILL.

Canada.

SAN FRANCISCO 1, CALIF.

All other countries (in Pacific area).

Note: The corresponding Postal Manual part is 272.

#### PART 163-POSTAGE REFUNDS

Sec.

163.1 Who may apply.

163.2 Processing.

AUTHORITY: §§ 163.1 through 163.2 issued under R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372.

#### § 163.1 Who may apply.

Senders may file application as outlined in §37.2(b) of the chapter for refund of postage, fees, or other charges paid on international mail for which full service was not rendered or which was paid in excess of the proper rate.

#### § 163.2 Processing.

Post offices will process applications where the request relates to mail originating in the United States, unless there is reason to believe that the other country is at fault. Forward the application to the International Service Division, Bureau of Transportation, Post Office Department, Washington 25, D.C., where there is reason to believe that the other country is at fault or when the request relates to mail originating in another country.

Note: The corresponding Postal Manual part is 273.

[SEAL] HERBERT B. WARBURTON, General Counsel.

[F.R. Doc. 60-1246; Filed, Feb. 8, 1960; 8:49 a.m.]

# Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration
PART 6—UNITED STATES GOVERNMENT LIFE INSURANCE

## PART 8-NATIONAL SERVICE LIFE INSURANCE

#### Miscellaneous Amendments

- 1. In Part 6, § 6.17 is revised to read as follows:
- § 6.17 Payment of insurance premiums

When it appears by proof satisfactory to the Administrator of Veterans Affairs that the person to whom United States Government life insurance has been granted, or any person acting on his behalf, has deposited in the mail within the grace period or in accordance with § 6.18 an envelope addressed to the Veterans Administration, Washington 25, D.C. or any field station of the Veterans Administration, containing money, check, draft, or money order, in payment of a premum, such insurance will not lapse for nonpayment of such premium: Provided, That any such check or draft is paid on presentation for payment or the conditions of § 6.17a are met.

2. Section 6.18 is added to read as follows:

#### § 6.18 Acceptance of a late premium.

Where a premium on United States Government life insurance is not paid within the grace period but payment is tendered during the lifetime of the insured and within 15 days after the date of expiration of the grace period, such tender may be regularly applied as a timely premium payment.

3. Section 6.79 is revised to read as follows:

#### § 6.79 Health requirements.

United States Government life insurance may be reinstated:

(a) Within 3 calendar months including the calendar month for which the unpaid premium was due, provided the applicant be in as good health on the date of application and tender of premiums as he was on the last day of the grace period of the premium in default and furnishes evidence thereof satisfactory to the Administrator.

(b) After expiration of the 3 calendar months mentioned in paragraph (a) of this section, provided applicant is in good health on the date of application and tender of premiums and furnishes evidence thereof satisfactory to the Administrator of Veterans Affairs.

4. Section 6.80 is revised to read as follows:

## § 6.80 Application and medical evidence.

The applicant for reinstatement of United States Government life insurance, during his lifetime and before becoming totally and permanently disabled. must submit a written application signed by him and furnish evidence of health as required in § 6.79 at the time of application satisfactory to the Administrator of Veterans Affairs and upon such forms as the Administrator shall prescribe or otherwise as he shall require. Applicant's own statement of comparative health may be accepted as proof of insurability for the purpose of reinstatement under § 6.79(a), but, whenever deemed necessary in any such case by the Administrator, report of physical examination may be required. Applications for reinstatement submitted after expiration of the applicable period mentioned in § 6.79(a) must be accompanied by evidence of good health satisfactory to the Administrator: Provided, That if the insurance becomes a claim after the tender of the amount necessary to meet reinstatement requirements but before full compliance with the requirements of this section, and the applicant was in the required state of health at the date that he made the tender of the amount necessary to meet reinstatement requirements, and that there is satisfactory reason for his noncompliance, the Director, Accounts and Underwriting Service in Central Office and the Director, Insurance Service, in the District Office in Philadelphia, Pennsylvania, may, if the applicant be dead, waive any or all of the requirements of this section (except payment of the necessary premiums) or, if the applicant be living, allow compliance with this section as of the date the required amount necessary to reinstate was received by the Veterans Administration.

#### § 6.82 [Revocation]

- 5. Section 6.82 Reinstatement in the month following the date of lapse, is revoked.
- 6. In § 6.164 the 1st and 10th paragraphs of the Total Disability Provision: Beginning "If the insured becomes totally disabled as * * *" and "This provision may be canceled by the * * *" respectively are amended to read as follows:
- § 6.164 Total disability provision for United States Government life insurance authorized by section 311 of the World War Veterans' Act, 1924, as amended July 3, 1930 and section 748 of Title 38, United States Code.

The total disability provision for United States Government life insurance authorized by section 311 of the World War Veterans' Act, 1924, as amended July 3, 1930 and section 748 of Title 38, United States Code, is as follows:

United States Government Life Insurance Total Disability Provisions

Age of Insured Monthly
Attached to Quarterly
Policy No. K Semiannual
Annual

Provision for Waiver of Premiums and Payment of Monthly Income attached to and made a part of United States Government life insurance policy No. K_____ in amount of \$_____ issued on the life of _____ hereafter designated as the insured.

If the insured becomes totally disabled as the result of disease or injury before attaining the age of 65 years and is continuously so disabled for a period of 4 consecutive months or more and before default in payment of any premium and if due proof satisfactory to the Administrator of Veterans Affairs (hereinafter referred to as the Administrator) of such disability and the continuance of such disability and the continuance of such disability is furnished before default in payment of a premium on this provision or within I year from the due date of the premium in default, the United States of America will:

This provision may be canceled by the insured at any time upon written request to the Veterans Administration accompanied by the policy and this provision for endorse-This provision shall terminate and be of no further force and effect if any premium on the policy or on this provision be not paid when due or within the grace period of 31 days thereafter. If a premium be not paid as stipulated, then this provision shall cease and terminate but may be reinstated upon evidence of good health satisfactory to the Administrator of Veterans Affairs, and upon the payment of the required premiums. The premium requirement to reinstate this provision, if attached to a permanent plan policy of insurance, is the payment of all premiums in arrears with interest at the rate of 5 percent per annum, compounded annually, to the first monthly premium due date after July 31, 1946, and thereafter at the rate of 4 percent per annum, compounded annually: Provided, That no interest on premiums in arrears will be required if reinstatement is effected within 3 months from the due date of the premium in default. The premium requirement to reinstate this provision, if attached to a 5-year level premium term policy, is the payment of two monthly premiums, one for the month of lapse, the other for the month of reinstatement. If the application and the required

premiums are submitted within 3 months after the due date of the premium in default, reinstatement may be effected upon evidence satisfactory to the Administrator showing the applicant to be in as good health on the date of application and tender of premiums as he was on the last day of the grace period of the premium in default.

- 7. In § 6.170, paragraph (b) (3) (i) is amended to read as follows:
- § 6.170 Renewal of United States Government life insurance on the 5-year level premium term plan.

(b) * * •

(3) (i) If application for reinstatement is submitted and the premiums tendered within 3 premium months after lapse, including the premium month for which the unpaid premium was due, insurance will be reinstated provided the applicant be in as good health on the date of application and tender of premiums as he was on the last day of the grace period of the premium in default and furnishes evidence thereof satisfactory to the Administrator.

(72 Stat. 1114; 38 U.S.C. 210)

8. In Part 8, § 8.7 is revised to read as follows:

## § 8.7 Payment of insurance premiums by mail.

When it appears by proof satisfactory to the Administrator of Veterans Affairs that the person to whom National Service life insurance has been granted, or any person acting on his behalf has deposited in the mail within the grace period or in accordance with § 8.7b an envelope addressed to the Veterans Administration, Washington 25, D.C., or any field station of the Veterans Administration, containing money, check, draft, or money order, in payment of a premium, such insurance will not lapse for a nonpayment of such premium: Provided, That any such check or draft is paid on presentation for payment or the conditions of § 8.7a are met.

9. Section 8.7b is added to read as follows:

§ 8.7b Acceptance of a late premium.

Where a premium on National Service life insurance is not paid within the grace period but payment is tendered during the lifetime of the insured and within 15 days after the date of expiration of the grace period, such tender may be regularly applied as a timely premium payment.

10. In § 8.23, paragraph (a) is amended to read as follows:

#### § 8.23 Health requirements.

National Service life insurance on any plan may be reinstated if application and tender of premiums are made:

- (a) Within 3 premium months including the premium month for which the unpaid premium was due, provided the applicant be in as good health on the date of application and tender of premiums as he was on the last day of the grace period of the premium in default and furnishes evidence thereof satisfactory to the Administrator.
- 11. Section 8.24 is revised to read as follows:

## § 8.24 Application and medical evidence.

The applicant for reinstatement of National Service life insurance, during his lifetime must submit a written application signed by him and furnish evidence of health as required in § 8.23 at the time of application satisfactory to the Administrator of Veterans Affairs and upon such forms as the Administrator shall prescribe or otherwise as he shall require. Applicant's own statement of comparative health may be accepted as proof of insurability for the purpose of reinstatement under § 8.23(a), but, whenever deemed necessary in any such case by the Administrator, report of physical examination may be required. Applications for reinstatement submitted after expiration of the applicable period mentioned in § 8.23(a) must be accompanied by evidence of good health satisfactory to the Administrator: Provided, That if the insurance becomes a claim after the tender of the amount necessary to meet reinstatement requirements but

before full compliance with the requirements of this section, and the applicant was in a required state of health at the date that he made the tender of the amount necessary to meet reinstatement requirements, and that there is satisfactory reason for his noncompliance, the Director, Accounts and Underwriting Service in Central Office; Assistant Managers for Insurance, Veterans Administration Centers, Denver, Colorado and St. Paul, Minnesota, and Director, Insurance Service, in the District Office in Philadelphia, Pennsylvania, may, if the applicant be dead, waive any or all requirements of this section (except payment of the necessary premiums) or, if the applicant be living, allow compliance with this section as of the date the required amount necessary to reinstate was received by the Veterans Administration.

#### § 8.25 [Revocation]

- 12. Section 8.25, Reinstatement in the month following date of lapse, is revoked.

  13. In § 8.85, paragraph (b) (3) (i) is amended to read as follows:
- § 8.85 Renewal of National Service life insurance on the 5-year level premium term plan and limited convertible 5-year level premium term plan.

. . . .

(b) * * *

(3) (i) If application for reinstatement is submitted and the premiums tendered within 3 premium months after lapse, including the premium month for which the unpaid premium was due, insurance will be reinstated provided the applicant be in as good health on the date of application and tender of premiums as he was on the last day of the grace period of the premium in default and furnishes evidence thereof satisfactory to the Administrator.

(72 Stat. 1114; 38 U.S.C. 210)

These regulations are effective January 18, 1960.

[SEAL]

BRADFORD MORSE, Deputy Administrator.

[F.R. Doc. 60-1248; Filed, Feb. 8, 1960; 8:50 a.m.]

## PROPOSED RULE MAKING

## DEPARTMENT 'OF AGRICULTURE

**Agricultural Marketing Service** 

[7 CFR Ch. IX]

[Docket No. AO-317]

HANDLING OF FRESH PRUNES GROWN IN DESIGNATED COUN-TIES IN STATES OF WASHINGTON AND OREGON

Notice of Hearing With Respect to Proposed Marketing Agreement and Order

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (secs. 1-19, 48 Stat. 31, as amended; 7)

U.S.C. 601-674), and in accordance with the applicable rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900); notice is hereby given of a public hearing to be held in the Pacific Power and Light Auditorium, 7 North Third Street, Yakima, Washington, beginning at 9 a.m., P.s.t., March 2, 1960, with respect to a proposed marketing agreement and order regulating the handling of fresh prunes grown in designated counties in the-States of Washington and Oregon. The proposed marketing agreement and order have not received the approval of the Secretary of Agriculture.

The public hearing is for the purpose of receiving evidence with respect to the

economic and marketing conditions which relate to the provisions of the proposed marketing agreement and order hereinafter set forth, and to any appropriate modifications thereof.

The Washington Italian Prune Growers Association, Yakima, Washington, submitted, and requested the hearing on, the proposed marketing agreement and order, the provisions of which are as follows (the sections identified with asterisks (***) apply only to the proposed marketing agreement and not to the proposed order):

#### DEFINITIONS

#### Section 1. Secretary.

"Secretary" means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

#### Sec. 2. Act.

"Act" means Public Act No. 10, 73d Congress (May 12, 1933), as amended and as re-enacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674).

#### Sec. 3. Person.

"Person" means an individual, partnership, corporation, association, or any other business unit.

#### Sec. 4. Production area.

"Production area" means the counties of Okanogan, Chelan, Kittitas, Yakima, and Klickitat in the State of Washington and all counties in Washington lying east thereof and Umatilla County in the State of Oregon.

#### Sec. 5. Prunes.

"Prunes" means all varieties of prunes, grown in the production area, classified botanically as Prunus domestica, except those of the President variety.

#### Sec. 6. Varieties.

"Varieties" means and includes all classifications or subdivisions of prunes.

#### Sec. 7. Fiscal period.

"Fiscal period" is synonymous with fiscal year and means the 12-month period ending on March 31 of each year or such other period that may be approved by the Secretary pursuant to recommendations by the committee.

#### Sec. 8. Committee.

"Committee" means the Washington-Oregon Fresh Prune Marketing Committee established pursuant to section 20.

#### Sec. 9. Grade.

"Grade" means any one of the officially established grades of prunes as defined and set forth in the United States Standards for Fresh Plums and Prunes (§§ 51.1520 to 51.1537 of this title) or amendments thereto, or modifications thereof, or variations based thereon.

#### Sec. 10. Size.

"Size" means the greatest diameter, measured through the center of the prune, at right angles to a line running from the stem to the blossom end, or such other specifications as may be established by the committee with the approval of the Secretary.

#### Sec. 11. Grower.

"Grower" is synonymous with producer and means any person who produces prunes for market and who has a proprietary interest therein.

#### Sec. 12. Handler.

"Handler" is synonymous with shipper and means any person (except a common or contract carrier transporting prunes owned by another person) who handles prunes.

#### Sec. 13. Handle.

"Handle" or "ship" means to sell or transport prunes within the production area or between the production area and any point outside thereof: Provided, That the term "handle" shall not include the transportation within the production area of prunes from the orchard where grown to a packing facility located within such area for preparation for market.

#### Sec. 14. District.

"District" means the applicable one of the following described subdivisions of the production area, or such other subdivisions as may be prescribed pursuant to section 31(m):

(a) "District 1" shall include all of the production area except Walla Walla, Columbia, Garfield, and Asotin Counties in the State of Washington, and Umatilla County in the State of Oregon.

(b) "District 2" shall include the County of Umatilla in the State of Oregon and the Counties of Walla Walla, Columbia, Garfield, and Asotin in the State of Washington.

#### Sec. 15. Export.

"Export" means to ship prunes beyond the continental boundaries of the United States.

#### Sec. 16. Pack.

"Pack" means the specific arrangement, size, weight, count, or grade of a quantity of prunes in a particular type and size of container, or any combination thereof.

#### Sec. 17. Container.

"Container" means a box, bag, crate, lug, basket, carton, package, or any other type of receptacle used in the packaging or handling of prunes.

#### ADMINISTRATIVE BODY

#### Sec. 20. Establishment and membership.

There is hereby established a Washington-Oregon Fresh Prune Marketing Committee consisting of 9 members, each of whom shall have an alternate who shall have the same qualifications as the member for whom he is an alternate. Six of the members and their respective alternates shall be growers or officers or employees of corporate growers. Three of the members and their respective alternates shall be handlers, or officers or employees of handlers. The 6 members of the committee who are growers or employees or officers of corporate growers are hereinafter referred to as "grower members" of the committee; and the 3 members of the committee who shall be handlers, or officers or employees of handlers, are hereinafter referred to as "handler members" of the committee. Four of the grower members and their respective alternates shall be producers of prunes in District 1, and 2 of the grower members and their respective alternates shall be producers of prunes in District 2. Two of the handler members and their respective alternates shall be handlers of prunes in District 1, and 1 of the handler members and his respective alternate shall be a handler of prunes in District 2.

#### Sec. 21. Term of office.

The term of office of each member and alternate member of the committee shall be for two years beginning April 1 and ending March 31: Provided, That the term of office of one-half the initial members and alternates from each district shall end March 31, 1961. Members and alternate members shall serve in such capacities for the portion of the term of office for which they are selected and have qualified and until their respective successors are selected and have qualified.

#### Sec. 22. Nominations.

(a) Initial members. Nominations for each of the initial members of the committee, together with nominations for the initial alternate members for each position, may be submitted to the Secretary by individual growers and handlers. Such nominations may be made by means of group meetings of the growers and handlers concerned in each district. Such nominations, if made, shall be filed with the Secretary no later than the effective date of this part. In the event nominations for initial members and alternate members of the committee are not filed pursuant to, and within the time specified in, this section, the Secretary may select such initial members and alternate members without regard to nominations, but selections shall be on the basis of the representation provided for in section 20.

(b) Successor members. (1) The committee shall hold or cause to be held, not later than March 1 of each year, a meeting or meetings of growers and handlers in each district for the purpose of designating nominees for successor members and alternate members of the committee. At each such meeting a chairman and a secretary shall be selected by the growers and handlers eligible to participate therein. The chairman shall announce at the meeting the number of votes cast for each person nominated for member or alternate member and shall submit promptly to the committee a complete report concerning such meeting. The committee shall, in turn, promptly submit a copy of each such report to the Secretary.

(2) Only growers, including duly authorized officers or employees of corporate growers, who are present at such nomination meetings may participate in the nomination and election of nominees for grower members and their alternates. Each grower shall be entitled to cast only one vote for each nominee to be elected in the district in which he produces prunes. No grower shall participate in the election of nominees in more than one district in any one fiscal year. If a person is both a grower and a handler of prunes, such person may vote either as a grower or as a handler but not as both.

(3) Only handlers, including duly authorized officers or employees of handlers, who are present at such nomination meetings, may participate in the nomination and election of nominees for handler members and their alternates. Each handler shall be entitled to cast only one vote for each nominee to be

elected in the district in which he handles prunes. No handler shall participate in the election of nominees in more than one district in any one fiscal year. If a person is both a grower and a handler of prunes, such person may vote either as a grower or as a handler but not as both.

#### Sec. 23. Selection.

From the nominations made pursuant to section 22, or from other qualified persons, the Secretary, shall select the 6 grower members of the committee, the 3 handler members of the committee, and an alternate for each such member.

#### Sec. 24. Failure to nominate.

If nominations are not made within the time and in the manner prescribed in section 22, the Secretary may, without regard to nominations, select the members and alternate members of the committee on the basis of the representation provided for in section 20.

#### Sec. 25. Acceptance.

Any person selected by the Secretary as a member or as an alternate member of the committee shall qualify by filing a written acceptance with the Secretary promptly after being notified of such selection.

#### Sec. 26. Vacancies.

To fill any vacancy occasioned by the failure of any person selected as a member or as an alternate member of the committee to qualify, or in the event of the death, removal, resignation, or disqualification of any member or alternate member of the committee, a successor for the unexpired term of such member or alternate member of the committee shall be nominated and selected in the manner specified in sections 22 and 23. If the names of nominees to fill any such vacancy are not made available to the Secretary within a reasonable time after such vacancy occurs, the Secretary may fill such vacancy without regard to nominations, which selection shall be made on the basis of representation provided for in section 20.

#### Sec. 27. Alternate members.

An alternate member of the committee, during the absence or at the request of the member for whom he is an alternate, shall act in the place and stead of such member and perform such other duties as assigned. In the event of the death, removal, resignation, or disqualification of a member, his alternate shall act for him until a successor for such member is selected and has qualified. In the event both a member of the committee and his alternate are unable to attend a committee meeting. the member or the committee may designate any other alternate member from the same district and group (handler or grower) to serve in such member's place and stead.

#### Sec. 30. Powers.

The committee shall have the following powers:

(a) To administer the provisions of this part in accordance with its terms;

(b) To receive, investigate, and report to the Secretary complaints of violations of the provisions of this part;

(c) To make and adopt rules and regulations to effectuate the terms and provisions of this part; and

(d) To recommend to the Secretary amendments to this part.

#### Sec. 31. Duties.

The committee shall have, among others, the following duties:

(a) To select a chairman and such other officers as may be necessary, and to define the duties of such officers;

(b) To appoint such employees, agents, and representatives as it may deem necessary, and to determine the compensation and to define the duties of each;

(c) To submit to the Secretary as soon as practicable after the beginning of each fiscal period a budget for such fiscal period, including a report in explanation of the items appearing therein and a recommendation as to the rate of assessment for such period;

(d) To keep minutes, books, and records which will reflect all of the acts and transactions of the committee and which shall be subject to examination by the Secretary;

(e) To prepare periodic statements of the financial operations of the committee and to make copies of each such statement available to growers and handlers for examination at the office of the committee;

(f) To cause its books to be audited by a competent accountant at least once each fiscal year and at such time as the Secretary may request;

(g) To act as intermediary between the Secretary and any grower or handler;

(h) To investigate and assemble data on the growing, handling, and marketing conditions with respect to prunes;

(i) To submit to the Secretary such available information as he may request;

 (j) To notify producers and handlers of all meetings of the committee to consider recommendations for regulations;

(k) To give the Secretary the same notice of meetings of the committee as is given to its members;

(1) To investigate compliance with the provisions of this part;

(m) With the approval of the Secretary, to redefine the districts into which the production area is divided, and to reapportion the representation of any district on the committee: *Provided*, That any such changes shall reflect, insofar as practicable, shifts in prune production within the districts and the production area.

#### Sec. 32. Procedure.

(a) Six members of the committee, including alternates acting for members, shall constitute a quorum; and any action of the committee shall require the concurring vote of at least 6 members.

(b) The committee may provide for simultaneous meetings of groups of its members assembled at two or more designated places: *Provided*, That such meetings shall be subject to the establishment of communication between all such groups and the availability of loud

speaker receivers for each group so that each member may participate in the discussions and other actions the same as if the committee were assembled in one place. Any such meeting shall be considered as an assembled meeting.

(c) The committee may vote by telegraph, telephone, or other means of communication, and any votes so cast shall be confirmed promptly in writing: *Provided*, That if an assembled meeting is held, all votes shall be cast in person.

#### Sec. 33. Expenses and compensation.

The members of the committee, and alternates when acting as members, shall be reimbursed for expenses necessarily incurred by them in the performance of their duties under this part and may also receive compensation, as determined by the committee, which shall not exceed \$10 per day or portion thereof spent in performing such duties: Provided, That at its discretion the committee may request the attendance of one or more alternates at any or all meetings, notwithstanding the expected or actual presence of the respective members, and may pay expenses and compensation, as aforesaid.

#### Sec. 34. Annual report.

The committee shall, prior to the last day of each fiscal period, prepare and mail an annual report to the Secretary and make a copy available to each handler and grower who requests a copy of the report. This annual report shall contain at least: (a) A complete review of the regulatory operations during the fiscal period; (b) an appraisal of the effect of such regulatory operations upon the prune industry; and (c) any recommendations for changes in the program.

#### EXPENSES AND ASSESSMENTS

#### Sec. 40. Expenses.

The committee is authorized to incur such expenses as the Secretary finds are reasonable and likely to be incurred by the committee to enable it to exercise its powers and perform its duties in accordance with the provisions of this part during each fiscal period. The funds to cover such expenses shall be acquired by the levying of assessments as prescribed in section 41.

#### Sec. 41. Assessments.

(a) Each person who first handles prunes shall, with respect to the prunes so handled by him, pay to the committee upon demand such person's pro rata share of the expenses which the Secretary finds will be incurred by the committee during each fiscal period. Each such person's share of such expenses shall be equal to the ratio between the total quantity of prunes handled by him as the first handler thereof during the applicable fiscal period and the total quantity of prunes so handled by all persons during the same fiscal period. The payment of assessments for the maintenance and functioning of the committee may be required under this part throughout the period it is in effect irrespective of whether particular provisions thereof are suspended or become inoperative.

(b) The Secretary shall fix the rate of assessment to be paid by each such person. At any time during or after the fiscal period, the Secretary may increase the rate of assessment in order to secure sufficient funds to cover any later finding by the Secretary relative to the expenses which may be incurred. Such increase shall be applied to all prunes handled during the applicable fiscal period. In order to provide funds for the administration of the provisions of this part during the first part of a fiscal period before sufficient operating in-come is available from assessments on the current year's shipments, the committee may accept the payment of assessments in advance, and may also borrow money for such purpose.

#### Sec. 42. Accounting.

- (a) If, at the end of a fiscal period, the assessments collected are in excess of expenses incurred, such excess shall be accounted for as follows:
- (1) Except as provided in subparagraphs (2) and (3) of this paragraph, each person entitled to a proportionate refund of any excess assessment shall be credited with such refund against the operation of the following fiscal period unless such person demands repayment thereof, in which event it shall be paid to him: *Provided*, That any sum paid by a person in excess of his pro rata share of the expenses during any fiscal period may be applied by the committee at the end of such fiscal period to any outstanding obligations due the committee from such person.
- (2) The committee, with the approval of the Secretary, may establish and maintain during one or more fiscal years an operating monetary reserve in an amount not to exceed approximately one fiscal year's operational expenses. Funds in such reserve shall be available for use by the committee for all expenses authorized pursuant to section 40.
- (3) Upon termination of this part, any funds not required to defray the necessary expenses of liquidation shall be disposed of in such manner as the Secretary may determine to be appropriate: *Provided*, That to the extent practical, such funds shall be returned pro rata to the persons from whom such funds were collected.
- (b) All funds received by the committee pursuant to the provisions of this part shall be used solely for the purposes specified in this part and shall be accounted for in the manner provided in this part. The Secretary may at any time require the committee and its members to account for all receipts and disbursements.
- (c) Upon the removal or expiration of the term of office of any member of the committee, such member shall account for all receipts and disbursements and deliver all property and funds in his possession to his successor in office, and shall execute such assignments and other instruments as may be necessary or appropriate to vest in such successor full title to all of the property, funds, and claims vested in such member pursuant to this part.

#### RESEARCH

## Sec. 45. Marketing research and development.

The committee, with the approval of the Secretary, may establish or provide for the establishment of marketing research and development projects designed to assist, improve, or promote the marketing, distribution, and consumption of prunes. The expense of such projects shall be paid from funds collected pursuant to section 41.

#### REGULATIONS

#### Sec. 50. Marketing policy.

- (a) Each season prior to making any recommendations pursuant to section 51, the committee shall submit to the Secretary a report setting forth its marketing policy for the ensuing season. Such marketing policy report shall contain information relative to:
- (1) The estimated total production of prunes within the production area;
- (2) The expected general quality and size of prunes in the production area and in other areas;
- (3) The expected demand conditions for prunes in different market outlets;
- (4) The expected shipments of prunes produced in the production area and in areas outside the production area;
- (5) Supplies of competing commodities;
- (6) Trend and level of consumer income:
- (7) Other factors having a bearing on the marketing of prunes; and
- (8) The type of regulations expected to be recommended during the season.
- (b) In the event it becomes advisable. because of changes in the supply and demand situation for prunes, to modify substantially such marketing policy, the committee shall submit to the Secretary a revised marketing policy report setting forth the information prescribed in this The committee shall publicly section. announce the contents of each marketing policy report, including each revised marketing policy report, and copies thereof shall be maintained in the office of the committee where they shall be available for examination by growers and handlers.

## Sec. 51. Recommendations for regula-

- (a) Whenever the committee deems it advisable to regulate the handling of any variety or varieties of prunes in the manner provided in section 52, it shall so recommend to the Secretary.
- (b) In arriving as its recommendations for regulation pursuant to paragraph (a) of this section, the committee shall give consideration to current information with respect to the factors affecting the supply and demand for prunes during the period or periods when it is proposed that such regulation should be made effective. With each such recommendation for regulation, the committee shall submit to the Secretary the data and information on which such recommendation is predicated and such other available information as the Secretary may request.

#### Sec. 52. Issuance of regulations.

- (a) The Secretary shall regulate, in the manner specified in this section, the handling of prunes whenever he finds, from the recommendations and information submitted by the committee, or from other available information, that such regulations will tend to effectuate the declared policy of the Act. Such regulations may:
- (1) Limit, during any period or periods, the shipment of any particular grade, size, quality, maturity, or pack, or any combination thereof, of any variety or varieties of prunes grown in any district or districts;
- (2) Limit the shipment of prunes by establishing, in terms of grades, sizes, or both, minimum standards of quality and maturity during any period when season average prices are expected to exceed the parity level;
- (3) Fix the size, capacity, weight, dimensions, markings, or pack of the container, or containers, which may be used in the packaging or handling of prunes.
- (b) The committee shall be informed immediately of any such regulation issued by the Secretary, and the committee shall promptly give notice thereof to growers and handlers.

## Sec. 53. Modification, suspension, or termination of regulations.

- (a) In the event the committee at any time finds that, by reason of changed conditions, any regulations issued pursuant to section 52 should be modified, suspended, or terminated, it shall so recommend to the Secretary.
- (b) Whenever the Secretary finds, from the recommendations and information submitted by the committee or from other available information, that a regulation should be modified, suspended, or terminated with respect to any or all shipments of prunes in order to effectuate the declared policy of the Act, he shall modify, suspend, or terminate such regulation. On the same basis and in like manner the Secretary may terminate any such modification or suspension. If the Secretary finds that a regulation obstructs or does not tend to effectuate the declared policy of the Act, he shall suspend or terminate such regulation. On the same basis and in like manner the Secretary may terminate any such suspension.

#### Sec. 54. Special purpose shipments.

- (a) Except as otherwise provided in this section, any person may, without regard to the provisions of sections 41, 52, 53, and 55, and the regulations issued thereunder, handle prunes (1) for consumption by charitable institutions; (2) for distribution by relief agencies; or (3) for commercial processing into products.
- (b) Upon the basis of recommendations and information submitted by the committee, or from other available information, the Secretary may relieve from any or all requirements, under or established pursuant to section 41, section 52, section 53, or section 55, the handling of prunes in such minimum quantities, or types of shipments, or for

such specified purposes (including shipments to facilitate the conduct of marketing research and development projects established pursuant to section 45) as the committee, with approval of the Secretary, may prescribe.

(c) The committee shall, with the approval of the Secretary, prescribe such rules, regulations, and safeguards as it may deem necessary to prevent prunes handled under the provisions of this section from entering the channels of trade for other than the specific purposes authorized by this section. Such rules. regulations, and safeguards may include the requirements that handlers shall file applications and receive approval from the committee for authorization to handle prunes pursuant to this section, and that such applications be accompanied by a certification by the intended purchaser or receiver that the prunes will not be used for any purpose not authorized by this section.

#### Sec. 55. Inspection and certification.

Whenever the handling of any variety of prunes is regulated pursuant to section 52 or section 53, each handler who handles prunes shall, prior thereto, cause such prunes to be inspected by the Federal or Federal-State Inspection Service, and certified by it as meeting the applicable requirements of such regulation: Provided, That inspection and certification shall be required for prunes which previously have been so inspected and certified only if such prunes have been regraded, resorted, repackaged, or in any other way further prepared for market. Promptly after inspection and certification, each such handler shall submit, or cause to be submitted, to the committee a copy of the certificate of inspection issued with respect to such prunes.

#### REPORTS

#### Sec. 60. Reports.

(a) Upon request of the committee. made with the approval of the Secretary, each handler shall furnish to the committee, in such manner and at such time as it may prescribe, such reports and other information as may be necessary for the committee to perform its duties under this part. Such reports may include, but are not necessarily limited to, the following: (1) The quantities of each variety of prunes received by a handler; (2) the quantities disposed of by him, segregated as to the respective quantities subject to regulation and not subject to regulation; (3) the date of each such disposition and the identification of the carrier transporting such prunes; and (4) the destination of each shipment of such prunes,

(b) All such reports shall be held under appropriate protective classification and custody by the committee, or duly appointed employees thereof, so that the information contained therein which may adversely affect the competitive position of any handler in relation to other handlers will not be disclosed. Compilations of general reports from data submitted by handlers are authorized, subject to the prohibition of disclosure of individual handler's identities or operations.

(c) Each handler shall maintain for at least two succeeding years such records of the prunes received; and of prunes disposed of, by such handler as may be necessary to verify reports pursuant to this section.

#### MISCELLANEOUS PROVISIONS

#### Sec. 61. Compliance.

Except as provided herein, no person shall handle prunes, the shipment of which has been prohibited by the Secretary in accordance with the provisions hereof; and no person shall handle prunes except in conformity with the said provisions and the regulations issued thereunder.

#### Sec. 62. Right of the Secretary.

The members of the committee (including successors and alternates), and any agents, employees, or representatives thereof, shall be subject to removal or suspension by the Secretary at any time. Each and every regulation, decision, determination, or other act of the committee shall be subject to the continuing right of the Secretary to disapprove of the same at any time. Upon such disapproval, the disapproved action of the committee shall be deemed null and void, except as to acts done in reliance thereon or in accordance therewith prior to such disapproval by the Secretary.

#### Sec. 63. Effective time.

The provisions hereof shall become effective at such time as the Secretary may declare above his signature hereto, and shall continue in force until terminated in one of the ways specified in section 64.

#### Sec. 64. Termination.

(a) The Secretary may at any time terminate the provisions hereof by giving at least one day's notice by means of a press release or in any other manner in which he may determine.

(b) The Secretary shall terminate or suspend the operation of any and all of the provisions hereof whenever he finds that such provisions do not tend to effectuate the declared policy of the act.

- (c) The Secretary shall terminate the provisions hereof at the end of any fiscal period whenever he finds that continuance is not favored by the majority of producers who, during a representative period determined by the Secretary, were engaged in the production area in the production of prunes for market in fresh form: *Provided*, That such majority has produced for market during such period more than 50 percent of the volume of prunes produced for fresh market in the production area; but such termination shall be effective only if announced on or before March 31 of the then current fiscal period.
- (d) The provisions hereof shall, in any event, terminate whenever the provisions of the act authorizing them cease to be in effect.

#### Sec. 65. Proceedings after termination.

(a) Upon the termination of the provisions hereof, the committee shall, for the purpose of liquidating the affairs of the committee, continue as trustees of

all the funds and property then in its possession, or under its control, including claims for any funds unpaid or property not delivered at the time of such termination.

(b) The said trustees shall (1) continue in such capacity until discharged by the Secretary; (2) from time to time account for all receipts and disbursements and deliver all property on hand, together with all books and records of the committee and of the trustees, to such persons as the Secretary may direct; and (3) upon the request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person, full title and right to all of the funds, property, and claims vested in the committee or the trustees pursuant thereto.

(c) Any person to whom funds, property, or claims have been transferred or delivered, pursuant to this section, shall be subject to the same obligation imposed upon the committee and upon the trustees.

## Sec. 66. Effect of termination or amendment.

Unless otherwise expressly provided by the Secretary, the termination hereof or of any regulation issued pursuant hereto, or the issuance of any amendment to either thereof, shall not (a) affect or waive any right, duty, obligation, or liability which shall have arisen or which may thereafter arise in connection with any provision hereof or any regulation issued hereunder, or (b) release or extinguish any violation hereof or of any regulation issued hereunder, or (c) affect or impair any rights or remedies of the Secretary or of any other person with respect to any such violation.

#### Sec. 67. Duration of immunities.

The benefits, privileges, and immunities conferred upon any person hereunder shall cease upon the termination hereof, except with respect to acts done under and during the existence hereof.

#### Sec. 68. Agents.

The Secretary may, by designation in writing, name any officer or employee of the United States, or name any agency or division in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

#### Sec. 69. Derogation.

Nothing contained in the provisions hereof is, or shall be construed to be, in derogation or in modification of the rights of the Secretary or of the United States (a) to exercise any powers granted by the act or otherwise, or (b) in accordance with such powers, to act in the premises whenever such action is deemed advisable.

#### Sec. 70. Personal liability.

No member or alternate member of the committee and no employee or agent of the committee shall be held personally responsible, either individually or jointly with others, in any way whatsoever, to any person for errors in judgment, mistakes, or other acts, either of commission or omission, as such member, alternate,

employee, or agent, except for acts of dishonesty, wilful misconduct, or gross negligence.

#### Sec. 71. Separability.

If any provision hereof is declared invalid or the applicability thereof to any person, circumstance, or thing is held invalid, the validity of the remainder thereof or the applicability thereof to any other person, circumstance, or thing shall not be affected thereby.

#### Sec. 72. Counterparts.

This agreement may be executed in multiple counterparts and when one counterpart is signed by the Secretary, all such counterparts shall constitute, when taken together, one and the same instrument as if all signatures were contained in one original. * * *

#### Sec. 73. Additional parties.

After the effective date hereof, any handler may become a party to this agreement if a counterpart is executed by him and delivered to the Secretary. This agreement shall take effect as to such new contracting party at the time such counterpart is delivered to the Secretary, and the benefits, privileges, and immunities conferred by this agreement shall then be effective as to such new contracting party. * *

## Sec. 74. Order with marketing agreement.

Each signatory handler hereby requests the Secretary to issue, pursuant to the act, an order providing for the regulating of the handling of fresh prunes in the same manner as is provided for in this agreement. * * *

Copies of this notice of hearing may be obtained from the office of the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington 25, D.C., or the Field Representative, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, 1218 Southwest Washington Street, Portland 5, Oregon.

Dated: February 4, 1960.

ROY W. LENNARTSON, Deputy Administrator, Marketing Services.

[F.R. Doc. 60-1240; Filed, Feb. 8, 1960; 8:48 a.m.]

#### [7 CFR Ch. IX]

[Docket No. AO-318]

#### HANDLING OF FRESH PRUNES GROWN IN DESIGNATED COUN-TIES IN IDAHO AND IN MALHEUR COUNTY, OREGON

#### Notice of Hearing With Respect to Proposed Marketing Agreement and Order

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674), and in accordance with the applicable rules of practice and procedure governing proceedings to form-

ulate marketing agreements and marketing orders (7 CFR Part 900); notice is hereby given of a public hearing to be held in the Fruitland Cafe, Fruitland, Idaho, beginning at 9 a.m., P.s.t., March 9, 1960, with respect to a proposed marketing agreement and order regulating the handling of fresh prunes grown in designated counties in the States of Idaho and Oregon. The proposed marketing agreement and order have not received the approval of the Secretary of Agriculture.

The public hearing is for the purpose of receiving evidence with respect to the economic and marketing conditions which relate to the provisions of the proposed marketing agreement and order hereinafter set forth, and to any appropriate modifications thereof.

The Prune Committee of the Idaho State Horticultural Society submitted, and requested the hearing on, the proposed marketing agreement and order, the provisions of which are as follows (the sections identified with asterisks (***) apply only to the proposed marketing agreement and not to the proposed order):

#### DEFINITIONS

#### Section 1. Secretary.

"Secretary" means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

#### Sec. 2. Act.

"Act" means Public Act No. 10, 73d Congress (May 12, 1933), as amended and as re-enacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (sections 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674).

#### Sec. 3. Person.

"Person" means an individual, partnership, corporation, association, or any other business unit.

#### Sec. 4. Production area.

"Production area" means and includes Washington, Payette, Gem, Canyon, Ada, and Owyhee Counties in the State of Idaho and Malheur County, Oregon, in the State of Oregon.

#### Sec. 5. Prunes.

"Prunes" means all varieties of prunes grown in the production area, classified botanically as Prunus Domestica, except those of the President variety.

#### Sec. 6. Varieties.

"Varieties" means and includes all classifications or subdivisions of prunes.

#### Sec. 7. Fiscal period.

"Fiscal period" is synonymous with fiscal year and means the 12-month period ending on May 31 of each year or such other period that may be approved by the Secretary pursuant to recommendations by the committee.

#### Sec. 8. Committee.

"Committee" means the Idaho-Malheur County, Oregon, Fresh Prune Marketing Committee established pursuant to section 20.

#### Sec. 9. Grade.

"Grade" means any one of the officially established grades of prunes as defined and set forth in the United States Standards for Fresh Plums and Prunes (§§ 51.1520 to 51.1537 of this title) or amendments thereto, or modifications thereof, or variations based thereon.

#### Sec. 10. Size.

"Size" means the greatest diameter, measured through the center of the prune, at right angles to a line running from the stem to the blossom end, or such other specification as may be established by the committee with the approval of the Secretary.

#### Sec. 11. Grower.

"Grower" is synonymous with producer and means any person who produces prunes for market and who has a proprietary interest therein.

#### Sec. 12. Handler.

"Handler" is synonymous with shipper and means any person (except a common or contract carrier transporting prunes owned by another person) who handles prunes,

#### Sec. 13. Handle or ship.

"Handle" or "ship" means to sell or transport prunes within the production area or between the production area and any point outside thereof: Provided, That the term "handle" shall not include the transportation within the production area of prunes from the orchard where grown to a packing facility located within such area for preparation for market.

#### Sec. 14. District.

"District" means the applicable one of the following described subdivisions of the production area, or such other subdivisions as may be prescribed pursuant to section 31(m):

(a) "District No. 1" shall include Washington and Payette Counties in the State of Idaho and Malheur County in the State of Oregon.

(b) "District No. 2" shall include Gem and Ada Counties in the State of Idaho.

(c) "District No. 3" shall include Canyon and Owyhee Counties in the State of Idaho.

#### Sec. 15. Export.

"Export" means to ship prunes beyond the continental boundaries of the United States.

#### Sec. 16. Pack.

"Pack" means the specific arrangement, size, weight, count, or grade of a quantity of prunes in a particular type and size of container, or any combination thereof.

#### Sec. 17. Container.

"Container" means a box, bag, crate, lug, basket, carton, package, or any other type of receptacle used in the packaging or handling of prunes.

#### ADMINISTRATIVE BODY

#### Sec. 20. Establishment and membership.

There is hereby established an Idaho-Malheur County, Oregon, Fresh Prune Marketing Committee consisting of 10 members, each of whom shall have an alternate who shall have the same qualifications as the member for whom he is an alternate. Six of the members and their respective alternates shall be growers or officers or employees of corporate growers. Four of the members and their respective alternates shall be handlers, or officers or employees of handlers. The 6 members of the committee who are growers or employees or officers of corporate growers are here-inafter referred to as "grower members" of the committee; and the 4 members of the committee who shall be handlers, or officers or employees of handlers, are hereinafter referred to as "handler members" of the committee. Each district shall be represented on the committee by 2 grower members and their respective alternates. Each district shall be represented on the committee by 1 handler member and his alternate. One handler member and his alternate shall be selected from the production area at large.

#### Sec. 21. Term of office.

The term of office of each member and alternate member of the committee shall be for two years beginning June 1 and ending May 31: Provided, That the term of office of one-half of the initial members and alternates from each district shall end May 31, 1961. Members and alternate members shall serve in such capacities for the portion of the term of office for which they are selected and have qualified and until their respective successors are selected and have qualified.

#### Sec. 22. Nomination.

- (a) Initial members. Nominations for each of the initial members of the committee, together with nominations for the initial alternate members for each position, may be submitted to the Secretary by individual growers and handlers. Such nominations may be made by means of group meetings of the growers and handlers concerned in each district. Such nominations, if made, shall be filed with the Secretary no later than the effective date of this part. In the event nominations for initial members and alternate members of the committee are not filed pursuant to, and within the time specified in, this section, the Secretary may select such initial members and alternate members without regard to nominations, but selections shall be on the basis of the representation provided for in section 20.
- (b) Successor members. (1) The committee shall hold or cause to be held, not later than April 1 of each year, a meeting or meetings of growers and handlers in each district for the purpose of designating nominees for successor members and alternate members of the committee. At each such meeting a chairman and a secretary shall be selected by the growers and handlers eligible to participate therein. The chairman shall

announce at the meeting the number of votes cast for each person nominated for member or alternate member and shall submit promptly to the committee a complete report concerning such meeting. The committee shall, in turn, promptly submit a copy of each such report to the Secretary.

(2) Only growers, including duly authorized officers or employees of corporate growers, who are present at such nomination meetings, may participate in the nomination and election of nominees for grower members and their alternates. Each grower shall be entitled to cast only one vote for each nominee to be elected in the district in which he produces prunes. No grower shall participate in the election of nominees in

more than one district in any one fiscal year. If a person is both a grower and a handler of prunes, such person may vote either as a grower or as a handler but not as both.

(3) Only handlers, including duly authorized officers or employees of handlers, who are present at such nomination meetings, may participate in the nomination and election of nominees for handler members and their alternates. Each handler shall be entitled to cast only one vote for each nominee to be elected in the district in which he handles prunes. No handler shall participate in the election of nominees in more than one district in any one fiscal year. If a person is both a grower and a handler of prunes, such person may vote either as a grower or as a handler but

#### Sec. 23. Selection.

not as both.

From the nominations made pursuant to section 22, or from other qualified persons, the Secretary shall select the 6 grower members of the committee, the 4 handler members of the committee, and an alternate for each such member.

#### Sec. 24. Failure to nominate.

If nominations are not made within the time and in the manner prescribed in section 22, the Secretary may, without regard to nominations, select the members and alternate members of the committee on the basis of the representation provided for in section 20.

#### Sec. 25. Acceptance.

Any person selected by the Secretary as a member or as an alternate member of the committee shall qualify by filing a written acceptance with the Secretary promptly after being notified of such selection.

#### Sec. 26. Vacancies.

To fill any vacancy occasioned by the failure of any person selected as a member or as an alternate member of the committee to qualify, or in the event of the death, removal, resignation, or disqualification of any member or alternate member of the committee, a successor for the unexpired term of such member or alternate member of the committee shall be nominated and selected in the manner specified in sections 22 and 23. If the names of nominees to fill any such vacancy are not made available to the Secretary within

a reasonable time after such vacancy occurs, the Secretary may fill such vacancy without regard to nominations, which selection shall be made on the basis of representation provided for in section 20.

#### Sec. 27. Alternate members.

An alternate member of the committee, during the absence or at the request of the member for whom he is an alternate, shall act in the place and stead of such member and perform such other duties as assigned. In the event of the death, removal, resignation, or disqualification of a member, his alternate shall act for him until a successor for such member is selected and has qualified. In the event both a member of the committee and his alternate are unable to attend a committee meeting, the member or the committee may designate any other alternate member from the same district and group (handler or grower) to serve in such member's place and stead.

#### Sec. 30. Powers.

The committee shall have the following powers:

(a) To administer the provisions of this part in accordance with its terms;

(b) To receive, investigate, and report to the Secretary complaints of violations of the provisions of this part;

(c) To make and adopt rules and regulations to effectuate the terms and provisions of this part; and

(d) To recommend to the Secretary amendments to this part.

#### Sec. 31. Duties.

The committee shall have, among others, the following duties:

 (a) To select a chairman and such other officers as may be necessary, and to define the duties of such officers;

- (b) To appoint such employees, agents, and representatives as it may deem necessary, and to determine the compensation and to define the duties of each;
- (c) To submit to the Secretary as soon as practicable after the beginning of each fiscal period a budget for such fiscal period, including a report in explanation of the items appearing therein and a recommendation as to the rate of assessment for such period;
- (d) To keep minutes, books, and records which will reflect all of the acts and transactions of the committee and which shall be subject to examination by the Secretary:
- (e) To prepare periodic statements of the financial operations of the committee and to make copies of each such statement available to growers and handlers for examination at the office of the committee;
- (f) To cause its books to be audited by a competent accountant at least once each fiscal year and at such time as the Secretary may request;
- (g) To act as intermediary between the Secretary and any grower or handler;
- (h) To investigate and assemble data on the growing, handling, and marketing conditions with respect to prunes;
- (i) To submit to the Secretary such available information as he may request;

(j) To notify producers and handlers of all meetings of the committee to consider recommendations for regulations;

(k) To give the Secretary the same notice of meetings of the committee as is given to its members;

(1) To investigate compliance with the

provisions of this part;

(m) With the approval of the Secretary, to redefine the districts into which the production area is divided, and to reapportion the representation of any district on the committee: Provided, That any such changes shall reflect, insofar as practicable, shifts in prune production within the districts and the production area.

#### Sec. 32. Procedure.

- (a) Seven members of the committee, including alternates acting for members. shall constitute a quorum; and any action of the committee shall require the concurring vote of at least seven members.
- (b) The committee may vote by telegraph, telephone, or other means of communication, and any votes so cast shall be confirmed promptly in writing: Provided, That if an assembled meeting is held, all votes shall be cast in person.

#### Sec. 33. Expenses and compensation.

The members of the committee, and alternates when acting as members, shall be reimbursed for expenses necessarily incurred by them in the performance of their duties under this part and may also receive compensation, as determined by the committee, which shall not exceed \$10 per day or portion thereof spent in performing such duties: Provided, That at its discretion the committee may request the attendance of one or more alternates at any or all meetings, notwithstanding the expected or actual presence of the respective members, and may pay expenses and compensation, as aforesaid.

#### Sec. 34. Annual report.

The committee shall, prior to the last day of each fiscal period, prepare and mail an annual report to the Secretary and make a copy available to each handler and grower who requests a copy of the report. This annual report shall contain at least: (a) A complete review of the regulatory operations during the fiscal period; (b) an appraisal of the effect of such regulatory operations upon the prune industry; and (c) any recommendations for changes in the program

#### EXPENSES AND ASSESSMENTS

#### Sec. 40. Expenses.

The committee is authorized to incur such expenses as the Secretary finds are reasonable and likely to be incurred by the committee to enable it to exercise its powers and perform its duties in accordance with the provisions of this part during each fiscal period. The funds to cover such expenses shall be acquired by the levying of assessments as prescribed in section 41.

#### Sec. 41. Assessments.

so handled by him, pay to the committee upon demand such person's pro rata share of the expenses which the Secretary finds will be incurred by the committee during each fiscal period. Each such person's share of such expenses shall be equal to the ratio between the total quantity of prunes handled by him as the first handler thereof during the applicable fiscal period and the total quantity of prunes so handled by all persons during the same fiscal period. The payment of assessments for the maintenance and functioning of the committee may be required under this part throughout the period it is in effect irrespective of whether particular provisions thereof are suspended or become inoperative.

(b) The Secretary shall fix the rate of assessment to be paid by each such person. At any time during or after the fiscal period, the Secretary may increase the rate of assessment in order to secure sufficient funds to cover any later finding by the Secretary relative to the expenses which may be incurred. Such increase shall be applied to all prunes handled during the applicable fiscal period. In order to provide funds for the administration of the provisions of this part during the first part of a fiscal period before sufficient operating income is available from assessments on the current year's shipments, the committee may accept the payment of assessments in advance, and may also borrow money for such purpose.

#### Sec. 42. Accounting.

- (a) If, at the end of a fiscal period, the assessments collected are in excess of expenses incurred, such excess shall be accounted for as follows:
- (1) Except as provided in subparagraphs (2) and (3) of this paragraph, each person entitled to a proportionate refund of any excess assessment shall be credited with such refund against the operation of the following fiscal period unless such person demands repayment thereof, in which event it shall be paid to him: Provided, That any sum paid by a person in excess of his pro rata share of the expenses during any fiscal period may be applied by the committee at the end of such fiscal period to any outstanding obligations due the committee from such person.
- (2) The committee, with the approval of the Secretary, may establish and maintain during one or more fiscal years an operating monetary reserve in an amount not to exceed approximately one fiscal year's operational expenses: Funds in such reserve shall be available for use by the committee for all expenses authorized pursuant to section 40.
- (3) Upon termination of this part, any funds not required to defray the necessary expenses of liquidation shall be disposed of in such manner as the Secretary may determine to be appropriate: Provided, That to the extent practical. such funds shall be returned pro rata to the persons from whom such funds were collected.
- (b) All funds received by the com-(a) Each person who first handles mittee pursuant to the provisions of this prunes shall, with respect to the prunes part shall be used solely for the purposes

specified in this part and shall be accounted for in the manner provided in this part. The Secretary may at any time require the committee and its members to account for all receipts and disbursements.

(c) Upon the removal or expiration of the term of office of any member of the committee, such member shall account for all receipts and disbursements and deliver all property and funds in his possession to his successor in office, and shall execute such assignments and other instruments as may be necessary or appropriate to vest in such successor full title to all of the property, funds, and claims vested in such member pursuant to this part.

#### RESEARCH

#### Sec. 45. Marketing research and development.

The committee, with the approval of the Secretary, may establish or provide for the establishment of marketing research and development projects designed to assist, improve, or promote the marketing, distribution, and consumption of prunes. The expense of such projects shall be paid from funds collected pursuant to section 41.

#### REGULATIONS

#### Sec. 50. Marketing policy.

- (a) Each season prior to making any recommendations pursuant to section 51, the committee shall submit to the Secretary a report setting forth its marketing policy for the ensuing season. Such marketing policy report shall contain information relative to:
- (1) The estimated total production of prunes within the production area;
- (2) The expected general quality and size of prunes in the production area and in other areas;
- (3) The expected demand conditions for prunes in different market outlets:
- (4) The expected shipments of prunes produced in the production area and in areas outside the production area;
- (5) Supplies of competing modities;
- (6) Trend and level of consumer income;
- (7) Other factors having a bearing on the marketing of prunes; and
- (8) The type of regulations expected to be recommended during the season.
- (b) In the event it becomes advisable, because of changes in the supply and demand situation for prunes, to modify substantially such marketing policy, the committee shall submit to the Secretary a revised marketing policy report setting forth the information prescribed in this section. The committee shall publicly announce the contents of each marketing policy report, including each revised marketing policy report, and copies thereof shall be maintained in the office of the committee where they shall be available for examination by growers and handlers.

## Sec. 51. Recommendations for regula-

(a) Whenever the committee deems it advisable to regulate the handling of any variety or varieties of prunes in the manrecommend to the Secretary.

(b) In arriving at its recommendations for regulation pursuant to paragraph (a) of this section, the committee shall give consideration to current information with respect to the factors affecting the supply and demand for prunes during the period or periods when it is proposed that such regulation should be made effective. With each such recommendation for regulation, the committed shall submit to the Secretary the data and information on which such recommendation is predicated and such other available information as the Secretary may request.

#### Sec. 52. Issuance of regulations.

(a) The Secretary shall regulate, in the manner specified in this section, the handling of prunes whenever he finds, from the recommendations and information submitted by the committee, or from other available information, that such regulations will tend to effectuate the declared policy of the Act. Such regulations may:

(1) Limit, during any period or periods, the shipments of any particular grade, size, quality, maturity, or pack, or any combination thereof, of any variety or varieties of prunes grown in the

production area;

(2) Limit the shipment of prunes by establishing, in terms of grades, sizes, or both, minimum standards of quality and maturity during any period when season average prices are expected to exceed the parity level;

(3) Fix the size, capacity, weight, dimensions, or pack of the container, or containers, which may be used in the packaging or handling of prunes;

- (4) Limit the shipment of the total quantity of prunes by prohibiting the handling thereof during a specified period or periods. No regulation issued pursuant to this subparagraph shall be effective for more than 96 consecutive hours: Provided, That not less than 72 consecutive hours shall elapse between the termination of any such period of prohibition and the beginning of the next such period. In the event the handling of prunes is regulated pursuant to this paragraph, no handler shall handle any prunes which were prepared for market or loaded during the effective period of such regulation. However, during any such period, no such regulation shall be deemed to limit the right of any person to sell or contract to sell prunes for future shipment or delivery.
- (b) The committee shall be informed immediately of any such regulation issued by the Secretary, and the committee shall promptly give notice thereof to growers and handlers.

#### Sec. 53. Modification, suspension, or termination of regulations.

- (a) In the event the committee at any time finds that, by reason of changed conditions, any regulations issued pursuant to section 52 should be modified, suspended, or terminated, it shall so recommend to the Secretary.
- (b) Whenever the Secretary finds, from the recommendations and infor-

ner provided in section 52, it shall so mation submitted by the committee or from other available information, that a regulation should be modified, suspended, or terminated with respect to any or all shipments of prunes in order to effectuate the declared policy of the Act. he shall modify, suspend, or terminate such regulation. On the same basis and in like manner, the Secretary may terminate any such modification or suspension. If the Secretary finds that a regulation obstructs or does not tend to effectuate the declared policy of the Act. he shall suspend or terminate such regulation. On the same basis and in like manner, the Secretary may terminate any such suspension.

#### Sec. 54. Special purpose shipments.

(a) Except as otherwise provided in this section, any person may, without regard to the provisions of sections 41, 52, 53, and 55, and the regulations issued thereunder, handle prunes (1) for consumption by charitable institutions: (2) for distribution by relief agencies; or (3) for commercial processing into products.

(b) Upon the basis of recommendations and information submitted by the committee, or from other available information, the Secretary may relieve from any or all requirements, under or established pursuant to section 41, section 52, section 53, or section 55, the handling of prunes in such minimum quantities, or types of shipments, or for such specified purposes (including shipments to facilitate the conduct of marketing research and development projects established pursuant to section 45) as the committee, with approval of the Secretary, may prescribe.

(c) The committee shall, with the approval of the Secretary, prescribe such rules, regulations, and safeguards as it may deem necessary to prevent prunes handled under the provisions of this section from entering the channels of trade for other than the specific purposes authorized by this section. Such rules, regulations, and safeguards may include the requirements that handlers shall file applications and receive approval from the committee for authorization to handle prunes pursuant to this section, and that such applications be accompanied by a certification by the intended purchaser or receiver that the prunes will not be used for any purpose not authorized by this section.

#### Sec. 55. Inspection and certification.

Whenever the handling of any variety of prunes is regulated pursuant to section 52 or section 53, each handler who handles prunes shall, prior thereto, cause such prunes to be inspected by the Federal or Federal-State Inspection Service, and certified by it as meeting the applicable requirements of such regulation: Provided, That inspection and certification shall be required for prunes which previously have been so inspected and certified only if such prunes have been regraded, resorted, repackaged, or in any other way further prepared for market. Promptly after inspection and certification, each such handler shall submit, or cause to be submitted, to the committee a copy of the certificate of inspection issued with respect to such prunes.

#### REPORTS

#### Sec. 60. Reports.

(a) Upon request of the committee. made with the approval of the Secretary, each handler shall furnish to the committee, in such manner and at such time as it may prescribe, such reports and other information as may be necessary for the committee to perform its duties under this part. Such reports may include, but are not necessarily limited to, the following: (1) The quantities of each variety of prunes received by a handler: (2) the quantities disposed of by him, segregated as to the respective quantities subject to regulation and not subject to regulation; (3) the date of each such disposition and the identification of the carrier transporting such prunes, and (4) the destination of each shipment of such prunes.

(b) All such reports shall be held under appropriate protective classification and custody by the committee, or duly appointed employees thereof, so that the information contained therein which may adversely affect the competitive position of any handler in relation to other handlers will not be disclosed. Compilations of general reports from data submitted by handlers are authorized, subject to the prohibition of disclosure of individual handler's identities

or operations.

(c) Each handler shall maintain for at least two succeeding years such records of the prunes received, and of prunes disposed of, by such handler as may be necessary to verify reports pursuant to this section.

#### MISCELLANEOUS PROVISIONS

#### Sec. 61. Compliance.

Except as provided herein, no person shall handle prunes the shipment of which has been prohibited by the Secretary in accordance with the provisions hereof; and no person shall handle prunes except in conformity with the said provisions and the regulations issued thereunder.

#### Sec. 62. Right of the Secretary.

The members of the committee (including successors and alternates) and any agents, employees, or representatives thereof, shall be subject to removal or suspension by the Secretary at any time. Each and every regulation, decision, determination, or other act of the committee shall be subject to the continuing right of the Secretary to disapprove of the same at any time. Upon such disapproval, the disapproved action of the committee shall be deemed null and void. except as to acts done in reliance thereon or in accordance therewith prior to such disapproval by the Secretary.

#### Sec. 63. Effective time.

The provisions hereof shall become effective at such time as the Secretary may declare above his signature hereto, and shall continue in force until terminated in one of the ways specified in section 64.

#### Sec. 64. Termination.

(a) The Secretary may at any time terminate the provisions hereof by giving at least one day's notice by means of a press release or in any other manner in which he may determine.

(b) The Secretary shall terminate or suspend the operation of any and all of the provisions hereof whenever he finds that such provisions do not tend to effectuate the declared policy of the act.

(c) The Secretary shall terminate the provisions hereof at the end of any fiscal period whenever he finds that continuance is not favored by the majority of producers who, during a representative period determined by the Secretary, were engaged in the production area in the production of prunes for market in fresh form: Provided, That such majority has produced for market during such period more than 50 percent of the volume of prunes produced for fresh market in the production area; but such termination shall be effective only if announced on or before May 31 of the then current fiscal period.

(d) The provisions hereof shall, in any event, terminate whenever the provisions of the act authorizing them cease to be in effect.

#### Sec. 65. Proceedings after termination.

(a) Upon the termination of the provisions hereof, the committee shall, for the purpose of liquidating the affairs of the committee, continue as trustees of all the funds and property then in its possession, or under its control, including claims for any funds unpaid or property not delivered at the time of such termination.

(b) The said trustees shall (1) continue in such capacity until discharged by the Secretary; (2) from time to time account for all receipts and disbursements and deliver all property on hand, together with all books and records of the committee and of the trustees, to such persons as the Secretary may direct; and (3) upon the request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person, full title and right to all of the funds, property, and claims vested in the committee or the trustees pursuant thereto.

(c) Any person to whom funds, property, or claims have been transferred or delivered, pursuant to this section, shall be subject to the same obligation imposed upon the committee and upon the trustees.

## Sec. 66. Effect of termination or amendment.

Unless otherwise expressly provided by the Secretary, the termination hereof or of any regulation issued pursuant hereto, or the issuance of any amendment to either thereof, shall not (a) affect or waive any right, duty, obligation, or liability which shall have arisen or which may thereafter arise in connection with any provision hereof or any regulation issued hereunder, or (b) release or extinguish any violation hereof or of any regulation issued hereunder, or (c) affect or impair any rights or remedies

of the Secretary or of any other person with respect to any such violation,

#### Sec. 67. Duration of immunities.

The benefits, privileges, and immunities confered upon any person hereunder shall cease upon the termination hereof, except with respect to acts done under and during the existence hereof.

#### Sec. 68. Agents.

The Secretary may, by designation in writing, name any officer or employee of the United States, or name any agency or division in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

#### Sec. 69. Derogation.

Nothing contained in the provisions hereof is, or shall be construed to be, in derogation or in modification of the rights of the Secretary or of the United States (a) to exercise any powers granted by the act or otherwise, or (b) in accordance with such powers, to act in the premises whenever such action is deemed advisable.

#### Sec. 70. Personal liability.

No member or alternate member of the committee and no employee or agent of the committee shall be held personally responsible, either individually or jointly with others, in any way whatsoever, to any person for errors in judgment, mistakes, or other acts, either of commission or omission, as such member, alternate, employee, or agent, except for acts of dishonesty, willful misconduct, or gross negligence.

#### Sec. 71. Separability.

If any provision hereof is declared invalid or the applicability thereof to any person, circumstance, or thing is held invalid, the validity of the remainder thereof or the applicability thereof to any other person, circumstance, or thing shall not be affected thereby.

#### Sec. 72. Counterparts.

This agreement may be executed in multiple counterparts and when one counterpart is signed by the Secretary, all such counterparts shall constitute, when taken together, one and the same instrument as if all signatures were contained in one original.***

#### Sec. 73. Additional parties.

After the effective date hereof, any handler may become a party to this agreement if a counterpart is executed by him and delivered to the Secretary. This agreement shall take effect as to such new contracting party at the time such counterpart is delivered to the Secretary, and the benefits, privileges, and immunities conferred by this agreement shall then be effective as to such new contracting party.***

#### Sec. 74. Order with marketing agreement.

Each signatory handler hereby requests the Secretary to issue, pursuant

to the act, an order providing for the regulating of the handling of fresh prunes in the same manner as is provided for in this agreement.***

Copies of this notice of hearing may be obtained from the office of the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington 25, D.C., or the Field Representative, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, 1218 Southwest Washington Street, Portland 5, Oregon.

Dated: February 4, 1960.

ROY W. LENNARTSON, Deputy Administrator, Marketing Services.

[F.R. Doc. 60-1241; Filed, Feb. 8, 1960; 8:48 a.m.]

## FEDERAL AVIATION AGENCY

[ 14 CFR Part 608 ]

[Airspace Docket No. 59-WA-372]

#### RESTRICTED AREAS

#### **Extension of Time for Comments**

In a notice of proposed rule making published in the FEDERAL REGISTER on November 10, 1959 (24 F.R. 9171), it was stated that the Federal Aviation Agency proposed to revoke the Little Rock, Ark., Restricted Area (R-134).

In accordance with the terms of the notice, the time for public comment expired thirty days after the date of publication of the notice. The Department of the Army has informed the Federal Aviation Agency it wishes to present additional data on this matter. This request appears to be reasonable. Therefore, in order to provide the Department of the Army and other interested persons further opportunity to submit additional written data, views or arguments, the date for filing such material will be extended to February 20, 1960.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), I hereby give notice that the time within which comments will be received for consideration on Airspace Docket No. 59-WA-372 is extended to February 20, 1960. Communications should be submitted in triplicate to the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C.

Sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on February 3, 1960.

D. D. Thomas, Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-1222; Filed, Feb. 8, 1960; 8:45 a.m.]

#### NOTICES

## DEPARTMENT OF THE INTERIOR

#### Bureau of Land Management **NEVADA**

#### Notice of Proposed Withdrawal and Reservation of Lands

FEBRUARY 1, 1960.

The Bureau of Sport Fisheries and Wildlife has filed an application, Serial Number Nevada-054629 for the withdrawal of the lands described below, from all forms of appropriation, including the mining but not the mineral leasing laws. The applicant desires the land for use in the development of Sunnyside Management Area. These lands, together with lands recently purchased. will be managed by the Nevada State Fish and Game Commission who will provide needed public hunting grounds, nesting, feeding and resting areas for waterfowl in this lane of the Pacific Flyway.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, P.O.

Box 1551, Reno, Nevada.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

#### MOUNT DIABLO MERIDIAN, NEVADA

T. 5 N., R. 60 E., Sec. 1, Lots 1, 2 and 4, SW1/4NE1/4, SW1/4 NW14, NW14SW14; Sec. 2, Lot 1, SE 4 NE 4, E 2 SE 4; Sec. 11, E1/2 NE1/4; Sec. 12, SW ¼; Sec. 13, N ½ NW ¼. T. 6 N., R. 60 E., Sec. 36, SE 1/4 SE 1/4. T. 6 N. R. 61 E.,

Sec. 1, Lot 4, SW1/4NW1/4;

Sec. 2, Lots 1, 3 and 4, SE1/4NE1/4, SW1/4 NW1/4.W1/2SE1/4;

Sec. 3, S1/2;

Sec. 4, E 1/2 SW 1/4, SW 1/4 SW 1/4, SE 1/4;

Sec. 5, SE1/4 SE1/4;

Sec. 7, SE 4 SE 4; Sec. 8, E 2 NE 4, SW 4 NE 4, SE 4 NW 4. E1/2SW1/4. SW1/4SW1/4. N1/2SE1/4. SW1/4

Sec. 10, NE¼, E½NW¼; Sec. 11, W½NE¼, SE¼NW¼, SE¼SW¼; Sec. 14, NW¼;

Sec. 15, SE1/4;

Sec. 18, Lots 1 and 3, NW 1/4 NE 1/4, NE 1/4 NW¼, NE¼SW¼, N½SE¼;

Sec. 20, SW1/4 NW1/4, W1/2 SW1/4;

Sec. 22, E1/2 NE1/4, SW1/4 NE1/4, SE1/4 NW1/4, E1/2 SW1/4, SW1/4 SW1/4:

Sec. 28, E1/2 NE1/4, SW1/4 NE1/4, SW1/4;

No. 27-

Sec. 29, SE 1/4 SE 1/4: Sec. 30, E1/2 SE1/4;

Sec. 31, Lot 3; Sec. 32, NW ¼ NE ¼, E ½ NW ¼.

T. 7 N., R. 61 E., Sec. 25, S1/2 NE1/4, E1/2 SW1/4, SW1/4 SW1/4. NW 1/4 SE 1/4

Sec. 35, E½NE¼, SW¼NE¼, SW¼; Sec. 36, E½NE¼, SW¼NE¼, NW¼NW¼, E½SW¼, SE¼.

T. 7 N., R. 62 E.,

Sec. 30, Lot 4, SE1/4SW1/4, SW1/4SE1/4; Sec. 31, Lots 1, 2, 3 and 4, NE¼, E½W½, N½SE¼, SW¼SE¼; Sec. 32, W½NW¼, NW¼SW¼.

The areas described aggregate 5,914.33

W. REED ROBERTS. Acting State Supervisor.

[F.R. Doc. 60-1233; Filed, Feb. 8, 1960; 8:47 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 13381; FCC 60M-230]

#### AMERICAN TELEPHONE AND TELEGRAPH CO.

#### Order Scheduling Hearing

In the matter of American Telephone and Telegraph Company, Docket No. 13381; regulations and charges for components of a distinctive tone and circuit assurance arrangement.

It is ordered, This 2d day of February 1960, that Elizabeth C. Smith will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on March 28, 1960, in Washington, D.C.

Released: February 3, 1960.

FEDERAL COMMUNICATIONS COMMISSION.

[SEAL]

MARY JANE MORRIS, Secretary.

[F.R. Doc. 60-1251; Filed, Feb. 8, 1960; 8:50 a.m.]

[Docket Nos. 13379, 13380; FCC 60M-229]

#### BIBLE INSTITUTE OF LOS ANGELES, INC. (KBBI), AND BENJAMIN C. **BROWN**

#### Order Scheduling Hearing

In re applications of The Bible Institute of Los Angeles Incorporated (KBBI), Los Angeles, California, Docket No. 13379, File No. BMPH-5311; Benjamin C. Brown, Oceanside, California, Docket No. 13380, File No. BPH-2687; for construction permits (FM).

It is ordered, This 2d day of February 1960, that Thomas H. Donahue will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on April 14, 1960, in Washington, D.C.

Released: February 3, 1960.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS,

Secretary.

[F.R. Doc. 60-1252; Filed, Feb. 8, 1960; 8:50 a.m.]

[Docket No. 13300; FCC 60M-236]

### COAST VENTURA CO. (KVEN-FM)

#### Order Continuing Hearing

In re application of Coast Ventura Company (KVEN-FM), Ventura, California, Docket No. 13300, File No. BMPH-6039; for modification of construction permit (FM).

Pursuant to the agreements reached by counsel for all parties at the prehearing conference held on February 2, 1960, as set forth on the record thus made:

It is ordered, This 3d day of February 1960, that the following shall govern the course of this proceeding:

(1) The direct case of the applicant shall be presented by written, sworn exhibits.

(2) Preliminary drafts of the applicant's technical exhibits shall be submitted to the other parties on an informal basis on or before March 1, 1960.

(3) Copies of the applicant's technical exhibits which are to be offered in evidence shall be supplied to all parties and to the Hearing Examiner on or before April 1, 1960.

(4) Notification of witnesses, if desired, for cross-examination on the applicant's technical exhibits shall be given

on or before April 8, 1960.

It is further ordered, That the hearing heretofore scheduled to commence on February 18, 1960 is hereby continued to April 19, 1960, at 10:00 a.m. in the offices of the Commission at Washington. D.C:

Released: February 4, 1960.

FEDERAL COMMUNICATIONS COMMISSION.

MARY JANE MORRIS, [SEAL]

Secretary.

[F.R. Doc. 60-1253; Filed, Feb. 8, 1960; 8:50 a.m.]

[Docket Nos. 13315-13317; FCC 60M-221]

#### EASTERN STATES BROADCASTING CORP. (WSNJ-FM) ET AL.

#### Order for Prehearing Conference

In re applications of Eastern States Broadcasting Corporation (WSNJ-FM), Bridgeton, New Jersey, Docket No. 13315, File No. BPH-2739; Bulletin Company,

1138 NOTICES

Philadelphia, Pennsylvania, Docket No. 13316, File No. BPH-2740; Pillar of Fire, Inc. (WAWZ-FM), Zarephath, New Jersey, Docket No. 13317, File No. BPH-2739; for construction permits.

A prehearing conference in the aboveentitled proceeding will be held on Friday, February 26, 1960, beginning at 10:00 a.m. in the offices of the Commission, Washington, D.C. This conference is called pursuant to the provisions of § 1.111 of the Commission's rules and the matters to be considered are those specified in that section of the rules.

It is so ordered, This the 1st day of

February 1960.

Released: February 3, 1960.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL]

MARY JANE MORRIS, Secretary.

[F.R. Doc. 60-1254; Filed, Feb. 8, 1960; 8:50 a.m.]

[Docket No. 13382]

## LONNIE T. EVERETT Order to Show Cause

In the matter of Lonnie T. Everett, Route 1, Box 258, Sneads Ferry, North Carolina, Docket No. 13382; order to show cause why there should not be revoked the license for Radio Station WC-7264 aboard the Vessel "Trudy Ann".

There being under consideration the matter of certain alleged violations of the Commission's rules in connection with the operation of the above-captioned station;

It appearing, that pursuant to § 1.61 of the Commission's rules, written notice of violation of the Commission's rules was served upon the above-named licensee as follows: Official Notice of Violation dated June 30, 1959, alleging that on June 10, 1959, the subject radio station was observed in violation of Commission rules as follows:

Section 8.368(a) (1) (2) (3) (4): A radio log was not being maintained.

Section 8.367(a) (1): A copy of Part 8 of the Commission's rules, "Stations on Shipboard in the Maritime Services" not on board the vessel

Section 8.102: The station license was not posted or available.

It further appearing that the abovenamed licensee received said Official notice but did not make satisfactory reply thereto, whereupon the Commission, by letter dated August 28, 1959, and sent by Certified Mail, Return Receipt Requested (No. 233055), brought this matter to the attention of the licensee and requested that such licensee respond to the Commission's letter within fifteen days from the date of its receipt stating the measures which had been taken, or were being taken, in order to bring the operation of the radio station into compliance with the Commission's rules, and warning the licensee that his failure to respond to such letter might result in the institution of proceedings for the revocation of the radio station license: and

It further appearing that receipt of the Commission's letter was acknowledged by the signature of the licensee on August 29, 1959, to a Post Office Department return receipt; and

It further appearing that although more than fifteen days have elapsed since the licensee's receipt of the Commission's letter, no response was made thereto; and

It further appearing, that, in view of the foregoing, the licensee has repeatedly violated § 1.61 of the Commission's rules;

It is ordered, This 1st day of February 1960, pursuant to section 312 (a) (4) and (c) of the Communications Act of 1934, as amended, and section 0.291 (b) (8) of the Commission's Statement of Delegations of Authority, that the said licensee show cause why the license for the above-captioned Radio Station should not be revoked and appear and give evidence in respect thereto at a hearing 1 to be held at a time and place to be specified by subsequent order; and

It further ordered, That the Secretary send a copy of this order by Certified Mail, Return Receipt Requested to the said licensee.

Released: February 3, 1960.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS, Secretary.

[F.R. Doc. 60–1255; Filed, Feb. 8, 1960; 8:51 a.m.]

[Docket Nos. 13376-13378; FCC 60M-228]

# JOHN CLEMON GREENE, JR., ET AL. Order Scheduling Hearing

In re applications of John Clemon Greene, Jr., Winchester, Virginia, Docket No. 13376, File No. BP-12240; Shenan-

¹ Section 1.62 of the Commission's rules provides that a licensee, in order to avail himself of the opportunity to be heard, shall. in person or by his attorney, file with the Commission, within thirty days of the receipt of the order to show cause, a written statement stating that he will appear at the hearing and present evidence on the matter specified in the order. In the event it would not be possible for respondent to appear for hearing in the proceeding if scheduled to be held in Washington, D.C., he should advise the Commission of the reasons for such inability within five days of the receipt of this order. If the licensee fails to file an appearance within the time specified, the right to a hearing shall be deemed to have been waived. Where a hearing is waived, a written statement in mitigation or justification may be submitted within thirty days of the receipt of the order to show cause. If such statement contains, with particularity, factual allegations denying or justifying the facts upon which the show cause order is based, the Hearing Examiner may call upon the submitting party to furnish additional information, and shall request all opposing parties to file an answer to the written statement and/or additional information. The record will then be closed and an initial decision issued on the basis of such procedure. Where a hearing is waived and no written statement has been filed within thirty days of the receipt of the order to show cause, the allegations of fact contained in the order to show cause will be deemed as correct and the sanctions specified in the order to show cause will be invoked.

doah Life Stations, Incorporated (WSLS), Roanoke, Virginia, Docket No. 13377, File No. BP-12610; Edwin R. Fischer, Winchester, Virginia, Docket No. 13378, File No. BP-13139; for construction permits.

It is ordered, This 2d day of February 1960, that J.D. Bond will preside at the hearing in the above-entitled preceding which is hereby scheduled to commence on April 11, 1960, in Washington, D.C.

Released: February 3, 1960.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS. Secretary.

[F.R. Doc. 60-1256; Filed, Feb. 8, 1960; 8:51 a.m.]

[Docket No. 12788 etc.; FCC 60M-222]

# CHARLES J. LANPHIER ET AL. Order Continuing Hearing

In re applications of Charles J. Lanphier, Golden Valley, Minnesota, Docket No. 12788, File No. BP-11629, et al., Docket Nos. 12792, 12795, 12796, 12797, 12798, 12799, 12800, 12801, 12802, 12803, 12805, 12905, 12906, 12907; for construction permits.

The Hearing Examiner having under consideration a petition to postpone dates for exchange of exhibits and for hearing in Group A filed by Joe Gratz, d/b as Minnesota Radio Company Docket No. 12792), on January 29, 1960;

It appearing that the following schedule currently exists: Exchange of exhibits—February 1, 1960, hearing—February 11, 1960; and that the petitioner, with consent of counsel for the other applicants and the Broadcast Bureau, seeks a brief continuance of these dates with the provision that if cross-examination is required after the submission of written cases the date of February 23 shall be reserved for that purpose;

It is ordered, This 2d day of February 1960, that the date for exchange of written lay cases and rebuttal engineering is continued from February 1 to February 5, 1960, and that the date of hearing is continued from February 11 to February 15, 1960.

Released: February 3, 1960.

Federal Communications Commission,

[SEAL] MARY JANE MORRIS,

Secretary.

[F.R. Dock 60-1257; Filed, Feb. 8, 1960; 8:51 a.m.]

[Docket No. 13373; FCC 60M-227]

## MORROW RADIO MANUFACTURING CO. AND RAY E. MORROW

#### Order Scheduling Hearing

In the matter of Morrow Radio Manufacturing Co., Salem, Oregon, and Ray E. Morrow, Salem, Oregon, Docket No. 13373; order to show cause why there should not be revoked the licenses for

Citizens Radio Stations 13W0470 and 13W0089 and why a cease and desist

order should not be issued.

It is ordered, This 2d day of February 1960, that David I. Kraushaar will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on April 7, 1960, in Washington, D.C.

Released: February 3, 1960.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL]

Mary Jane Morris, Secretary.

[F.R. Doc. 60-1258; Filed, Feb. 8, 1960; 8:51 a.m.]

[Docket No. 13369; FCC 60M-223]

#### ADOLPH OLSEN

#### Order Scheduling Hearing

In the matter of Adolph Olsen, c/o Don Butler, Fisherman's Terminal, Seattle 99, Washington, Docket No. 13369; order to show cause why there should not be revoked the license for radio Station WB-3221 aboard the vessel "Spawn".

It is ordered, This 2d day of February 1960, that Walther W. Guenther will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on April 11, 1960, in Washington, D.C.

Released: February 3, 1960.

. FEDERAL COMMUNICATIONS
COMMISSION,
MARY JAME MORRIS

[SEAL]

MARY JANE MORRIS, Secretary.

[F.R. Doc. 60-1259; Filed, Feb. 8, 1960; 8:51 a.m.]

[Docket No. 13372; FCC 60M-226]

#### ABC CAB CO.

#### Order Scheduling Hearing

In the matter of James N. Skaggs, d/b as ABC Cab Co., Leavenworth, Kansas, Docket No. 13372; order to show cause why there should not be revoked the license for Radio Station KAL-317 in the Taxicab Radio Service.

It is ordered, This 2d day of February 1960, that David I. Kraushaar will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on April 14, 1960, in Washington, D.C.

Released: February 3, 1960.

FEDERAL COMMUNICATIONS COMMISSION.

[SEAL]

MARY JANE MORRIS, Secretary.

[F.R. Doc. 60-1260; Filed, Feb. 8, 1960; 8:51 a.m.]

. [Docket No. 13370; FCC 60M-224]

#### NICK TILIAKOS

#### Order Scheduling Hearing

In the matter of Nick Tiliakos, P.O. Box 474, Fernandina Beach, Florida, Docket No. 13370; order to show cause why there should not be revoked the license for Radio Station WE-6325 aboard the vessel "Michael T".

It is ordered, This 2d day of February 1960, that Walther W. Guenther will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on April 8, 1960, in Washington. D.C.

Released: February 3, 1960.

FEDERAL COMMUNICATIONS
COMMISSION.

[SEAL]

MARY JANE MORRIS, Secretary.

[F.R. Doc. 60-1261; Filed, Feb. 8, 1960; 8:51 a.m.]

[Docket No. 13371; FCC 60M-225]

#### SAM P. TRINGALI

#### **Order Scheduling Hearing**

In the matter of Sam P. Tringali, Fernandina Beach, Florida, Docket No. 13371; order to show cause why there should not be revoked the license for Radio Station WD-3222 aboard the vessel "Saint Pat".

It is ordered, This 2d day of February 1960, that Walther W. Guenther will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on April 7, 1960, in Washington D.C.

Released: February 3, 1960.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL]

MARY JANE MORRIS, Secretary.

[F.R. Doc. 60-1262; Filed, Feb. 8, 1960;. 8:51 a.m.]

[Docket No. 13275; FCC 60M-235]

## TRI STATE BROADCASTING CO. (WONW)

#### Order Continuing Hearing

In re application of Tri State Broadcasting Company (WONW), Deflance, Ohio, Docket No. 13275, File No. BP-12305; for construction permit.

By the consent of all counsel, the evidentiary hearing in the above-entitled proceeding is continued from Thursday, February 4, 1960, to Friday, February 12, 1960.

It is so ordered, This the 3d day of February 1960.

Released: February 4, 1960.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS, Secretary.

[F.R. Doc. 60-1263; Filed, Feb. 8, 1960; 8:51 a.m.]

### **CIVIL AERONAUTICS BOARD**

[Docket 5395 et al.]

## SOUTHERN ROCKY MOUNTAIN AREA LOCAL SERVICE CASE

#### Notice of Prehearing Conference

Notice is hereby given that a prehearing conference covering the local air service pattern in the Southern Rocky Mountain Area Local Service Case, Docket 5395 et al., is assigned to be held on March 22, 1960, at 10 a.m., in room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Joseph L. Fitzmaurice

It is contemplated that this proceeding will cover the local air service pattern in the area bounded on the east by the cities of Denver, Albuquerque, and El Paso; on the north by the cities of Denver, Las Vegas, Salt Lake City, Reno, and San Diego; on the west by the Pacific Ocean; and on the south by the United States-Mexican border. The scope of this proceeding may be modified as a result of the conference. Consideration will be given at the conference to the consolidation for hearing and decision of some or all of the following applications:

Dock- et No.	Applicant	Description
5395	Bonanza Air Lines,	Grand Canyon, Gal-
6567	Lordsburg, N. Mex., et al.	lup, Albuquerque.  Lordsburg and Deming on Frontier's
6872	ARI-NEW MEX. agencies.	Route 73. Silver City-Bayard- Hurley, N. Mex Albuquerque (on Route 73).
7416	Frontier Airlines, Inc.	Silver City-Albu-
7801	do	querque. Phoenix-Denver and beyond, including Calgary.
7802	Bonanza Air Lines, Inc.	Yuma-Phoenix; Phoe- nix-Douglas; Phoe- nix-Salt Lake City.
7960	Frontier Airlines, Inc.	Albuquerque-Phoenix; Albuquerque- Tucson.
8461	Bonanza Air Lines, Inc.	Remove Yuma and El Centro from West- ern's Route 13.
9005	do	Glen Canyon on Phoe- nix-Salt Lake City.
9066	Pacific Air Lines, Inc.	
, 9219	Trans World Airlines.	Albuquerque-Tucson restriction.
9815	Bonanza Air Lines, Inc.	Las Vegas-Salt Lake City.
9816 9976	Pacific Air Lines, Inc. Grants, N. Mex	Do. Local service to Grants
9998	Frontier Airlines, Inc.	by Frontier. Liberalized authority.
10544	Mountain Airlines	Service in California, Nevada, and Arizona.
10730	Bonanza Air Lines, Inc.	Restrict Phoenix- Tucson service by American or TWA.
10759	Frontier Airlines, Inc.	Tucson-El Paso via Douglas.
10760	Trans-Texas Airways.	El Paso-Phoenix.
10762	City of Santa Fe, N. Mex.	Santa Fe-Kansas City; Santa Fe-Salt Lake City.
10887	Bonanza Air Lines, Inc.	Grand Canyon (year round).

In order to facilitate conduct of the conference, it is requested that any party desiring to prosecute an application in this proceeding file on or before February 29, 1960, a motion for consolidation with Examiner Fitzmaurice and/or any new applications for which consolidation

may be sought. Motions for modification of the scope of the proceeding should also be filed with the examiner on that date. Copies of such motions should be served on interested carriers and communities.

Counsel will be expected to state the views of their clients with respect to issues discussed during the course of this conference.

Dated at Washington, D.C., February 4, 1960.

[SEAL]

Francis W. Brown, Chief Examiner.

[F.R. Doc. 60-1264; Filed, Feb. 8, 1960; 8:51 a.m.]

[Docket 10758 etc.]

## SOUTHWESTERN AREA LOCAL SERVICE CASE

#### Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled proceeding is assigned to be held on February 25, 1960, at 10:00 a.m., e.s.t., in Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Herbert K. Bryan.

Dated at Washington, D.Ç., February 4, 1960.

[SEAL]

Francis W. Brown, Chief Examiner.

[F.R. Doc. 60-1265; Filed, Feb. 8, 1960; 8:51 a.m.]

## DEPARTMENT OF THE TREASURY

Office of the Secretary

[Dept. Circ. 570, 1959 Rev., Supp. No. 11]

#### NORTHEASTERN INSURANCE COM-PANY OF HARTFORD

## Surety Company Acceptable on Federal Bonds

FEBRUARY 4, 1960.

A Certificate of Authority has been issued by the Secretary of the Treasury to the following company under the Act of Congress approved July 30, 1947, 6 U.S.C. secs. 6–13, as an acceptable surety on Federal bonds.

An underwriting limitation of \$556,-000.00 has been established for the company. Further details as to the extent and localities with respect to which the company is acceptable as surety on Federal Bonds will appear in the next issue of Treasury Department Circular No. 570, to be issued as of May 1, 1960. Copies of the circular, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Surety Bonds Branch, Washington 25, D.C.

The Certificate of Authority issued to the company on May 1, 1959, to act as a reinsuring company only on Federal Bonds, given under Department Circular No. 297, July 15, 1922, 31 CFR Part 223, is terminated, being no longer required as a result of the company's qualification as a direct writing company.

State in Which Incorporated, Name of Company and Location of Principal Executive Office

Connecticut; Northeastern Insurance Company of Hartford; Des Moines, Iowa.

[SEAL] JULIAN B. BAIRD, Acting Secretary of the Treasury.

[F.R. Doc. 60-1266; Filed, Feb. 8, 1960; 8:52 a.m.]

## **ATOMIC ENERGY COMMISSION**

[Docket No. 50-150]

# OHIO STATE UNIVERSITY Notice of Issuance of Construction Permit

Please take notice that no request for a formal hearing having been filed following the filing of notice of proposed action with the Office of the Federal Register on January 18, 1960, the Atomic Energy Commission has issued Construction Permit No. CPRR-49 to The Ohio State University authorizing construction of a 10 kilowatt (thermal) pooltype nuclear reactor on its campus in Columbus, Ohio. Notice of the proposed action was published in the Federal Register on January 19, 1960, 25 F.R. 415.

A provision has been added allocating to the University 3400 grams of uranium-235 contained in highly enriched uranium and 80 grams of plutonium contained in an encapsulated plutonium-beryllium source.

beryllium source.

Dated at Germantown, Md., this 3d day of February, 1960.

For the Atomic Energy Commission.

R. L. KIRK,

Deputy Director, Division of

Licensing and Regulation.

[F.R. Doc. 60-1217; Filed, Feb. 8, 1960; 8:45 a.m.]

## DEPARTMENT OF AGRICULTURE

**Forest Service** 

## TROPICAL RESEARCH CENTER LEADER

#### Delegation of Authority To Accept or Execute and Deliver Deeds and Other Documents on Behalf of the United States of America

Pursuant to the authority delegated to me by the Secretary of Agriculture (19 F.R. 74) there is hereby delegated to the Research Center Leader of the Tropical Research Center, Puerto Rico, Forest Service, United States Department of Agriculture, authority to accept or execute and deliver for and on behalf of the United States of America any and all deeds and other documents conveying to or from the United States of America title to lands, or interests therein, situated in Puerto Rico, being acquired or disposed of in forestry programs, or other activities administered by the Forest Service, when requested to do so by the General Counsel of the United States Department of Agriculture or his authorized representative.

The authority herein delegated may not be redelegated.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States Department of Agriculture to be affixed in the City of Washington, District of Columbia, United States of America, this 2d day of February 1960.

> RICHARD E. McARDLE, Chief, Forest Service.

[F.R. Doc. 60-1272; Filed, Feb. 8, 1960; 8:52 a.m.]

# Commodity Credit Corporation SALES OF CERTAIN COMMODITIES February 1960 Monthly Sales List

Notice to buyers. Pursuant to the policy of Commodity Credit Corporation issued October 12, 1954 (19 F.R. 6669) and subject to the conditions stated therein, as well as herein, the commodities listed below are available for sale on the price basis set forth.

The CCC Monthly Sales List, which varies from month to month as additional commodities become available or commodities formerly available are dropped, is designed to aid in moving CCC's inventories into domestic or export use through regular commercial channels:

Major changes in the list for February include the return of nonfat dry milk to the list; the dropping of gum rosin because all stocks have been sold; and an increase of % of 1 percent in the per annum interest rates on export credit sales. Rye has been added to the list of commodities currently eligible for barter.

If it becomes necessary during the month to amend this list in any material way—such as by the removal or addition of a commodity in which there is general interest or by a significant change in price or method of sale—an announcement of the change will be sent to all persons currently receiving the list by mail from Washington. To be put on this mailing list, address: Director, Price Division, Commodity Stabilization Service, U.S. Department of Agriculture, Washington 25, D.C.

All commodities currently offered for sale by CCC, plus tobacco from CCC loan stocks, are eligible for export sale under the CCC Export Credit Sales Program.

The following commodities are currently eligible for barter: Cotton, to-

bacco, rice (milled), wheat, corn, barley, rye, and sorghum grain. This list is subject to change from time to time.

Interest rates per annum under the CCC Export Credit Sales Program for February 1960 are 5½ percent for periods up to six months, 6 percent for periods from over six and up to 18 months, and 6½ ercent for periods from over 18 months up to a maximum of 36 months.

The CCC will entertain offers from responsible buyers for the purchase of any commodity on the current list. Offers accepted by CCC will be subject to the terms and conditions prescribed by the Corporation. These terms include payment by cash or irrevocable letter of credit before delivery of the commodity, and the conditions require removal of the commodity from CCC storage within a reasonable period of time. Where conditions of sale for export differ from those for domestic sale, proof of exportation is also required, and the buyer is responsible for obtaining any required U.S. Government export permit or li-cense. Purchases from CCC shall not constitute any assurance that any such permit or license will be granted by the issuing authority.

Announcements containing all terms and conditions of sale will be furnished upon request. For easy reference a number of these announcements are identified by code number in the following list. Interested persons are invited to communicate with the Commodity Stabilization Service, USDA, Washington 25, D.C., with respect to all commodities or—for specified commodities—with the designated CSS Commodity Office.

Commodity Credit Corporation reserves the right to amend, from time to time, any of its announcements. Such amendments shall be applicable to and be made a part of the sale contracts thereafter entered into.

CCC reserves the right to reject any or all offers placed with it for the purchase of commodities pursuant to such announcements.

If CCC does not have adequate information as to the financial responsibility of a prospective buyer to meet all contract obligations that might arise by acceptance of an offer or if CCC deems such buyer's financial responsibility to be inadequate CCC reserves the right (i) to refuse to consider the offer, (ii) to accept the offer only after submission by the buyer of a certified or cashier's check, bond, letter of credit or other security acceptable to CCC assuring that the buyer will discharge the responsibility under the contract, or (iii) to accept the offer upon condition that the buyer promptly submit to CCC such of the aforementioned security as CCC may direct. If a prospective buyer is in doubt as to whether CCC is acquainted with his financial responsibility he should communicate with the CSS office at which the offer is to be placed to determine whether a financial statement or advance financial arrangement will be necessary in his case.

Disposals and other handling of inventory items often result in small quantities at given locations or in qualities

not up to specifications. These lots are offered promptly upon appearance by public notice issued by the appropriate CSS office and therefore generally they do not appear in the Monthly Sales List.

On sales for which the buyer is required to submit proof to CCC of exportation the buyer shall be regularly engaged in the business of buying or selling commodities and for this purpose shall maintain a bona fide business office in the United States, its territories or

possessions, and have a person, principal, or resident agent upon whom service of judicial process may be had.

Prospective buyers for export should note that generally, sales to United States Government agencies, with only minor exceptions, will constitute a domestic unrestricted use of the commodity.

Commodity Credit Corporation reserves the right, before making any sale, to define or limit export areas.

Commodity	Sales price or method of sale
Dairy products	Sales are in carlots only.  Announced prices, under LD-29 as amended: Domestic: "In store" at storage location of products. Export: Basis of delivery f.a., vessel or at the buyers option f.o.b, cars point of export. If delivery is to be "in store", CCO will convert to "in store"
	prices are provided in LD-29. Competitive bid prices, under LD-33: Export: "In store" at storage location of products.
	Submission of offers: For products in Arizona, California, Idaho, Nevada, Oregon, Utah and Washington, submit offers to the Portland CSS Commodity Office. For products in other States and the District of Columbia, submit offers to the Cincinnati CSS Commodity Office.
Nonfat dry milk	Domestic, unrestricted use: Spray process, U.S. extra grade: In barrels and drums, 16.00 cents per pound; in bags, 15.15 cents per pound.
,	Roller process, U.S. extrá grade: In barrels and drums, 14.00 cents per pound; in bags, 13.15 cents per pound.  Export, unrestricted use: Competitive bid pursuant to invitations to bid to be issued by Cincinnati and Portland CSS Commodity Offices.
Cheddar cheese (standard moisture basis).	Domestic, unrestricted use: 38.0 cents per pound for New York, Pennsylvania, New England, New Jersey, and other States bordering the Atlantic and Pacific and Gulf of Mexico. All other States 37.0 cents per pound.  Export, unrestricted use: 31.87 cents per pound.  Cheese prices are subject to usual adjustment for molsture content.  Domestic or export, unrestricted use: Competitive bid and under the terms and conditions of Announcement CN-A (Sales by local sales agencies of choice (A) setting for uncertainty users of the programment of No.C. 13, Sales of 1988 and
Cotton, upland	Galess prices are subject to usual adjustment for moisture content.  Domestic or export, unrestricted uso: Competitive bid and under the terms and conditions of Announcement CN-A (Sales by local sales agencies of choice (A) cotton for unrestricted uso, Announcement NO-C-12 (Sales of 1958 and prior crop cotton for unrestricted use), and Announcement NO-C-13 (Sales of 1959-crop choice (A) cotton for unrestricted uso). Under CN-A, cotton to be sold at highest price offered but in no event at less than 110 percent of the applicable choice (B) support price plus carrying charges.
·	Under NO-C-12 and NO-C-13, cotton in CCC's catalogs to be sold at highest price offered but in no event at less than the higher of (1) the market price as determined by CCC or (2) 110 percent of the applicable choice (B) support price plus carrying charges.
Cotton, extra long staple	Domestic or export, unrestricted use: Competitive bid and under the terms and conditions of Announcements NO-C-6 as amended and NO-C-10 as amended, but not less than the higher of (1) 105 percent of the current support price plus reasonable carrying charges, or (2) the domestic market price as
	determined by CCC. Cotalogs for unland cetten (except cetten offered under CN-A) and extra long
Wheat, bulk	staple cotton showing quantities, qualities, and locations may be obtained for a nominal fee from the New Orleans CSS Commodity Office. Catalogs or lists of cotton offered under CN-A may be obtained from local sales agencies. Domestic, unrestricted use: commercial wheat-producing area:  Market price basis in store but not less than the 1959 applicable loan rates plus (1) 23 cents per bushel if received by truck or (2) 18 cents per bushel if received by rail or barge.
•	If delivery is outside the area of production, applicable freight will be added to the above. Examples of the foregoing minimum price per bushel (exrail or barge):
i No	Chicago, No. 1 RW
	Noncommercial wheat-producing area: Same basis as in commercial area except 133 percent of applicable support rate.  Export (as wheat): Under Announcement GR-261 revised, as amended, for application under arrangements for barter and approved credit sales only at prices determined daily, and under Announcement GR-212 revised, amended, for specific offerings as announced. Disposals under Payment-in-Kind Pro- gram under Announcement GR-345.  Available Evanston, Dallas, Kansas City, Minneapolis and Portland CSS
Corn, bulk	Available Evenston, Danas, Kansas City, Minneapons and Portland CSS Commodity Offices.  Domestic, unrestricted use: Market price, basis in store, but not less than the 1959 applicable loan rate plus (1) a markup of 14 cents per busiel for corn in storage at point of production or (2) a markup of 16 cents per bushel and the rail freight from point of production to the present point of storage for
•	corn in storage at other than the point of production.  Examples of the foregoing minimum price per bushel for No. 2 yellow corn, 13.3 percent moisture and 1.4 percent foreign material including average paid-in freight from Woodford County, Ill., to Chicago and Redwood County, Minn., to Minneapolis, respectively.
	Chicago \$1.48¼ Minneapolis 1.31¼ Non-storable corn, unrestricted use (as available): At other than bin sites, through the offices indicated below. At bin sites, through ASC County Offices.
	Export: Under Announcement GR-212, revised, amended, for application to arrangements for barter and approved credit and emergency sales, and under Announcement GR-368 for Feed Grain Payment-in-Kind Program.  Available Evanston, Dallas, Kansas City, Minneapolis and Portland CSS Commodity Offices.
Oats, bulk	Domestic, unrestricted use: Market price, basis in store, but not less than the 1959 applicable loan rate, plus (1) a markup of 13 cents per bushel for oats in storage at point of production and (2) a markup of 15 cents per bushel and the rail freight from point of production to present point of storage for oats in storage at other than the point of production.

In those countles in which grain is stored in CCC bin sites delivery will be made f.o.b. buyer's conveyance a bin sites without additional cost; sales will also be made in store approved warehouses in such county and adjacen counties at the same price, provided the buyer makes arrangements.

Commodity	Sales price or method of sale			
Oats, bulk—Continued	Examples of the foregoing minimum price per bushel including average paid-in freight from Woodford County, Ill., to Chicago and Redwood County, Minn., to Minneapolis respectively:  Chicago, No. 3 oats \$0.7334			
	Chicago, No. 3 oats  Minneapolis, No. 3 oats  Export: Under Announcement GR-212, revised, ame approved credit and emergency sales and under An Feed Grain Payment-in-Kind Program.  Available Minneapolis, Evanston, Kansas City, Por			
Barley, bulk	Commodity Offices.  Domestic, unrestricted use: Market price basis in ste 1959 applicable loan rates plus (1) 16 cents per bushe (2) 13 cents per bushel if received by rail or barge.  If delivery is outside the area of production, applical	ore but not le el if received	ess than the by truck o	
	to the above.  Example of the foregoing minimum price per bushel apolis, No. 2 or better, \$1.13.  Export: Under Announcement GR-212, revised, an arrangements for barter and approved credit and em Announcement GR-308 for Feed Grain Payment-in	ended, for ap	plication to , and unde	
Rye, bulk	Available Minneapolis, Evanston, Kansas City, Po Commodity Offices. Domestic, unrestricted use: Markot price basis in st 1959 applicable loan rates plus (1) 10 cents per bush (2) 14 cents per bushel if received by rail or barge. If delivery is outside the area of production, applicable	ortland and ore but not l el if received	Dallas CSS less than the by truck o	
	the above.  Example of the foregoing minimum price per bushel apolis, No. 2 or better, \$1.27.  Export: Under Announcement GR-212 revised, ame approved credit and emergency sales, and under Ar Feed Grain Payment-in-Kind Program.  Available Minneapolis, Evanston, Portland, Dallas	(exrail or bar ended, for ar inouncement	ge): Minne oplication to GR-368 fo	
Grain sorghums, bulk	Commodity Oflices.  Domestic, unrestricted use: Market price basis in sto 1959 applicable loan rates plus (1) 34 cents per hund truck or (2) 25 cents perhundredweight if received by If delivery is outside the area of production, applicable the above.  Example of the foregoing minimum price per hundred Kansas City, No. 2 or better, \$2.15.	lredweight if y rail or barg e freight will	received by e. be added t	
Rice, milled (as available)	Export: Under Announcement GR-212, revised, and arrangements for barter and approved credit and en Announcement GR-368 for Feed Grain Payment-in Available Evanston, Dallas, Kausas City, Minnea Commodity Offices.	ergency salesKind Progripolis and Pothan equivalement, adjusted and quantits CSS Comm	s, and unde am. ortland CS ont 1959 loa I for milling ies availabl odity Office	
	DAMPHOOT THE HIMMEN PROCESS THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE	U.S. No. 3		
	Blue Bonnet	\$9.34 8.60	\$8.6 7.9	
Rice, rough	Export: Under GR-379 for application to arrangement credit sales. Prices and quantities available by var obtained from Dallas CSS Commodity Office.  Domestic, unrestricted use: Market price but not less percent, plus 31 cents per hundredweight, basis in ste Export: As milled or brown under Announcement G gram Payment-in-Kind, and under GR-379 for app Prices, quantities, and varieties of rough rice available.	rieties and gr than 1959 loa ore. R-369, Rice roved credit s	ades may b n rate plus Export Pro ales.	
Soybean s, bulk 1957 and 1958 crop (as available).	modity Office.  Domestic or export: Market price basis in store but me loan rate for No. 2 grade, basis point of storage, plus the value of billing, if any, as determined by the Market discounts for quality factors will be applied mine the actual sales prices.	ot less than to 20 cents per CSS Commo to the basic p	he 1959 basi bushel, plu odity Office rice to deter	
Peanuts, shelled (as available). All types.	Available Dallas, Evanston, Kansas City and Minn Offices.  Domestic, unrestricted use: Market price but not less mum prices: Virginias: No. 1's, 19.45 cents per pound.  Spanish: No. 1's, 19.45 cents per pound.  SE. E. Runners: No. 1's, 18.20 cents per pound.	than the following	lowing mi <b>n</b>	
Peanuts, farmers stock (as available). Linseed oil	Domestic for crushing by export: Competitive bid a nouncement 1, as amended.  Domestic for crushing or export: Competitive bid ur amended. Available Dallas CSS Commodity Offic Domestic or export: Unrestricted use: Competitive 1	ider Announ e. oid on limite	cement 1, a d quantitie	
Tung oil	as announced from time to time by the Cincinnati Export: Competitive bid under Announcement DI Commodity Office,	L-OP-10 by	Dallas CS	

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 407, 63 Stat. 1055; 7 U.S.C. 1427, sec. 208, 63 Stat. 901)

Issued February 4, 1960.

CLARENCE D. PALMBY,
Acting Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 60-1271; Filed, Feb. 8, 1960; 8:52 a.m.]

## FEDERAL POWER COMMISSION

[Docket No. IT-5331]

# ARIZONA PUBLIC SERVICE CO. Notice of Application

FEBRUARY 2, 1960.

Take notice that on January 25, 1960, Arizona Public Service Company (Applicant), incorporated under the laws of the State of Arizona, with its principal place of business at Phoenix, Arizona, filed an application for authority, pursuant to section 202(e) of the Federal Power Act, to increase the amount of electric energy which it may transmit from the United States to Mexico.

Applicant seeks authority to export from the United States to Mexico up to 6,000,000 kwh of electric energy annually at a maximum rate of transmission of 1500 kw; the authorization to supersede that heretofore granted by order of the Commission issued August 15, 1955, in the above docket.

Any person desiring to be heard or to make any protest with reference to said application should on or before the 23d day of February 1960, file with the Federal Power Commission, Washington 25, D.C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission and available for public inspection.

JOSEPH H. GUTRIDE, Secretary.

[F.R. Doc. 60-1224; Filed, Feb. 8 1960; 8:46 a.m.]

[Docket No. G-17226]

## CUMBERLAND & ALLEGHENY GAS CO.

## Notice of Application and Date of Hearing

FEBRUARY 1, 1960.

Take notice that on December 10, _1958,1 Cumberland & Allegheny Gas Company (Applicant) filed in Docket No. G-17226, (1) an application pursuant to section 7(b) of the Natural Gas Act seeking permission and approval to abandon by sale certain of its facilities which are located in the State of Maryland to Columbia Gas of Maryland, Inc. (Columbia of Maryland), and (2) an application pursuant to section 7(c) seeking a certificate of public convenience and necessity authorizing Applicant to construct and operate certain measuring facilities and to sell and deliver natural gas to Columbia of Maryland for resale, all as more fully detailed in the aforesaid application.

Applicant states that the instant application is in furtherance of the Columbia Gas System, Inc., plan to realign its properties and thereby result in each operating subsidiary being subject to the jurisdiction of but one regulatory body.

Columbia of Maryland is alleged to be a Delaware corporation, and upon the acquisition of properties set out in the

¹ Subsequently supplemented by tenders made on March 13 and July 10, and July 10, 1959.

² Other steps in such realignment include Docket Nos. G-9689, G-9694, G-9695, G-12127, G-13058 and G-14691.

application, is said to become a public utility engaging in purchasing, selling and distributing natural gas at retail solely within the State of Maryland. It is proposed that the facilities to be abandoned by Applicant include its retail distribution system and certain of its transmission facilities as such are designated in the application. Applicant further alleges that its proposed realignment plan requires that part or all of four distribution lines, which are located in the State of Maryland and which are interconnected with Supply Lines 8028. 8025, 8013 and 8000, be retained by Applicant and that such distribution lines be reclassified as transmission lines.

In its section 7(c) application, Cumberland and Allegheny seeks a certificate of public convenience and necessity authorizing the construction and operation of a measuring and regulating station at Westernport, Maryland, at a cost of \$41,000 and authorizing the sale and delivery of natural gas to Columbia of Maryland. Applicant proposes to file its FPC Gas Tariff pursuant to § 154.62 of the Commission's regulations and proposes to render the aforementioned sale pursuant to a demand-commodity type of rate.

It is stated that Columbia of Maryland will reimburse Applicant for the assets and properties sought to be transferred by issuance and delivery of common stocks and promissory notes in an amount equal to the aggregate net value of the aforementioned assets and properties to be transferred, less certain liabilities and obligations which are to be assumed by Columbia of Maryland. The net book value of these assets as of May 31, 1958, is stated to be \$4,503,976.14.

Take further notice that, pursuant to the jurisdiction conferred upon the Federal Power Commission by section 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 8, 1960, at 10:00 a.m., e.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by said application. Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the Rules of Practice and Procedure (18 CFR 1.8 or 1.10) on or before February 26, 1960.

JOSEPH H. GUTRIDE, Secretary.

[F.R. Doc. 60-1225; Filed, Feb. 8, 1960; 8:46 a.m.]

[Docket No. G-19086 etc.].

#### PEOPLES GULF COAST NATURAL GAS PIPELINE CO. ET AL.

#### Notice of Applications and Date of Hearing

FEBRUARY 2, 1960.

In the matter of Peoples Gulf Coast Natural Gas Pipeline Company, Docket

Company of America, Hassie Hunt Trust, Operator, et al., Docket No. G-19115; H. L. Hunt, Operator, et al., Docket No. G-19116; Hunt Oil Company, Docket No. G-19117; William Herbert Hunt Trust Estate, Operator, Docket No. G-19118; Lamar Hunt Estate, Docket No. G-19119; George W. Graham, Inc., Operator, et al., Docket No. G-19123; Placid Oil Company, Operator, et al., Docket Nos. G-19124, G-19125.

Take notice that on July 30, 1959, supplemented on November 20, 1959, Peoples Gulf Coast Natural Gas Pipeline (Peoples Gulf Coast) and Natural Gas Pipeline Company of America (Natural) filed in Docket No. G-19086 a joint application pursuant to sections 7(b) and 7(c) of the Natural Gas Act for permission and approval for abandonment by Peoples Gulf Coast of the sale of gas to its existing customers and for certificates of public convenience and necessity authorizing (a) the sale by Peoples Gulf Coast to Natural of all gas delivered by Peoples Gulf Coast; (b) the sale by Natural to its existing customers, to those customers Natural may be authorized or directed to serve pursuant to orders of the Commission which may be issued in Docket No. G-12399, to existing customers of Peoples Gulf Coast, and to those customers Peoples Gulf Coast was directed to serve by order of the Commission in Docket No. G-14829 2 of all gas proposed in this matter to be purchased from Peoples Gulf Coast; (c) the construction and operation of additional facilities to increase the capacity of Peoples Gulf Coast by about 85,000 Mcf per day, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Peoples Gulf Coast proposes to expand the capacity of its system by approximately 85,000 Mcf per day. It proposes to construct: Approximately 371.4 miles of 30-inch pipeline, partially looping its existing transmission system, approximately 55.7 miles of 6-, 8-, and 10inch supply lines to fields not previously connected to its system, four gas purchase meters, and a new compressor station with one 6,700 Bhp centrifugal unit.

The total cost of the project is estimated to be \$43,500,000, which Peoples Gulf Coast tentatively contemplates financing by the issuance and sale of common stock in an aggregate amount of approximately \$13,700,000, the issuance and sale of debentures in the prin-

Gas Pipeline Company was issued a certificate whereby it was authorized to acquire and operate all of the facilities then owned and operated by Texas Illinois Natural Gas Pipeline Company; Peoples Gulf Coast was substituted for Texas Illinois as party applicant in all applications then pending before the Commission, including the instant application.

Order issued December 1, 1959. The matter was pending before the Commission when this application was filed. Therefore Applicants merely sought herein to serve those customers which Peoples Gulf Coast (Texas Illinois) "may be" directed to serve.

No. G-19086; and Natural Gas Pipeline cipal amount of \$20,000,000 and the issuance and sale of first mortgage bonds in the principal amount of \$20,000,000. To cover preliminary project costs and to the extent interest savings can be achieved by interim financing, shortterm borrowings from banks may be resorted to.

Peoples Gulf Coast proposes to take additional gas from the independent producers whose applications are consolidated herewith, abandon the sale of gas to its existing customers, except Natural, and sell to Natural all gas to be delivered by its existing facilities, the facilities authorized in Docket No. G-14829, and those for which authorization is herein sought.

Natural proposes to sell the gas it will receive from Peoples Gulf Coast to the present and prospective customers of both systems; Natural would then be the sole seller of gas on the combined system (except for the sales of gas by Peoples Gulf Coast to Natural). Natural proposes to sell most of the gas made available by the expansion of Peoples Gulf Coast system in this proceeding to down line customers, with a smaller portion to go to Chicago area customers.

Take further notice that on July 31, 1959; Hassie Hunt Trust, Operator, et al., a trust estate established under the laws of Texas, with its principal place of business at 700 Mercantile Bank Building, Dallas 1, Tex.; H. L. Hunt, Operator, et al., with his principal place of business at 700 Mercantile Bank Building, Dallas 1, Tex.; Hunt Oil Company, a Delaware corporation with its principal place of business at 700 Mercantile Bank Building, Dallas 1, Tex.; William Herbert Hunt Trust Estate, a trust estate established under the laws of Texas, with its principal place of business at 700 Mercantile Bank Building, Dallas 1, Tex.; Lamar Hunt Trust Estate, a trust estate established under the laws of Texas with its principal place of business at 700 Mercantile Bank Building, Dallas 1, Tex.; George W. Graham, Inc., a Texas corporation with its principal place of business at 400 Wichita National Bank Building, Wichita Falls, Tex.; and Placid Oil Company, Operator, et al., a Delaware corporation having its principal place of business at 418 Market Street. Shreveport, La., each filed applications for certificates of public convenience and necessity, pursuant to section 7(c) of the Natural Gas Act, authorizing each of them to render service as hereinafter described, all as more fully represented in the applications which are on file with the Commission and open for public inspection.

The respective applicants propose to produce and sell to Peoples Gulf Coast 2 natural gas for transportation in interstate commerce for resale pursuant to their contracts with Peoples Gulf Coast as summarized in the tabulation below:

¹ By order of the Commission dated December 8, 1959, Peoples Gulf Coast Natural

³ As noted above, Peoples Gulf Coast has replaced Texas Illinois, thus while the contracts on file with the Commission were signed by the respective applicants and Texas Illinois, they are applicable to Peoples Gulf Coast.

Docket No.	Name of applicant	Date of contract	Name and location of field	Initial price per Mcf @ 14.65 psia
,	77			Cents
. G-19115	Hassie Hunt Trust, Operator, et al	5-15-59	Alta Loma Area, Galveston County, Tex.	20
G-19116	H. L. Hunt, Operator, et al	5-15-59	Alvin City Field, Brazoria County, Tex.	20
Ġ-19117	Hunt Oil Co	5-15-59	Fulton Beach Field, Aransas County, Tex.	20
G-19118	William Herbert Hunt Trust Estate, Operator.	5-15-59	do	20
G-19119	Lamar Hunt Trust Estate	5-15-59	Zollor Field, Aransas and Calhoun Counties, Tex.	20
G-19123	George W. Graham, Inc	5-15-59	Fulton Beach Field, Aransas County, Tex.	20
G-19124	Placid Oil Co., Operator, et al	5-15-59	Fulton Beach and East Fulton Beach Fields, Aransas County, Tex.	20
G-19125	. dodo	5-15-59	Alta Loma Townsite and Franks Fields, Galveston County, Tex.	20

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 28, 1960 at 10:00 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such applications.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before March 18, 1960.

Joseph H. Gutride, Secretary.

[F.R. Doc. 60-1226; Filed, Feb. 8, 1960; 8:46 a.m.]

[Docket No. G-9446 etc.]

## SHELL OIL CO. ET AL. Notice of Postponement of Hearing

FEBRUARY 2, 1960.

In the Matters of Shell Oil Company, Docket Nos. G-9446, G-9475, G-11307, G-11320, G-11336, G-11353, G-12192, G-12951, G-13397, G-13418, G-13441, G-13515, G-13847, G-14926, G-14970, G-15028, G-15794, G-16249. G-16254. G-16337, G-16595, G-16670, G-16952. G-17266, G-17278, G-17317, G-17368, G-17525, G-17440, G-17442, G-18185, G-18266, G-18699, G-18845, G-19155, G-19432, G-19604, G-19770, G-19887, G-19915, G-19987, G-20059; Shell Oil Company (Operator), Docket Nos. G-12952, G-13315, G-13389, G-14113, G-16255, G-16671, G-18698, G-14671, G-19771; Shell Oil Company (Operator) et al. Docket Nos. G-12953, G-13144, G-14023, G-16253, G-18186, G-18267, G-18469, G-18697.

Upon consideration of the motion filed January 19, 1960, by Counsel for Shell Oil Company for postponement of the hearing now scheduled for March 8, 1960 in the above-designated matters;

The hearing now scheduled for March 8, 1960, is hereby postponed to July 7,

1960, at 10:00 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street, NW., Washington, D.C.

JOSEPH H. GUTRIDE, Secretary.

[F.R. Doc. 60-1227; Filed, Feb. 8, 1960; 8:46 a.m.]

[Docket No. G-20082]

#### SINCLAIR OIL & GAS CO.

Order Permitting Superseding Rate Filing, and Providing for Hearing on and Suspension of Proposed Change in Rate

FEBRUARY 2, 1960.

Sinclair Oil & Gas Company (Sinclair) on January 4, 1960, tendered for filing a proposed change in its presently effective rate schedule for the sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Notice of change dated: December 30, 1959. Purchaser: El Paso Natural Gas Co.

Producing area: Willrode Fld., Upton Co., Tex.

Rate schedule designation: Supplement No. 3 to Sinclair's FPC Gas Rate Schedule No. 158. Effective date: February 4, 1960 (effective

date is the first day after expiration of the required thirty-days notice).

Rate in effect: 8.108 cents per Mcf (pres-

Rate in effect: 8.108 cents per Mcf (pressure base is 14.65 psla).
Proposed increased rate: 13.68225 cents per Mcf (pressure base is 14.65 psla).

This filing supersedes a prior proposed increased rate contained in Supplement No. 2 to Sinclair's FPC Gas Rate Schedule No. 158. That supplement, among others, was suspended until April 22, 1960, by Commission order issued November 10, 1959, in this proceeding. Because Supplement No. 2 is now being superseded by Supplement No. 3 and, therefore, will never become effective, this proceeding will henceforth be concerned with Supplement No. 3 to Sinclair's FPC Gas Rate Schedule No. 158.

In support of the proposed renegotiated rate, Sinclair states, inter alia, that the increased price will enable the buyer to stabilize prices in the Permian Basin area through elimination of the "favored-nations" provisions of gas sales contracts.

The increased rate and charge so proposed may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) Permission should be granted for the filing of Supplement No. 3 to Sinclair's FPC Gas Rate Schedule No. 158 to supersede Supplement No. 2 to Sinclair's FPC Gas Rate Schedule No. 158.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed increased rate contained in Supplement No. 3 to Sinclair's FPC Gas Rate Schedule No. 158 and that such supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Permission is hereby granted for the filing of Supplement No. 3 to Sinclair's FPC Gas Rate Schedule No. 158 to supersede Supplement No. 2 to Sinclair's FPC Gas Rate Schedule No. 158.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 3 to Sinclair's FPC Gas Rate Schedule No. 158.

(C) Pending such hearing and decision thereon, Supplement No. 3 to Sinclair's FPC Gas Rate Schedule No. 158, is hereby suspended and the use thereof deferred until July 4, 1960, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(D) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(E) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

JOSEPH H. GUTRIDE, Secretary.

[F.R. Doc. 60-1228; Filed, Feb. 8, 1960; 8:46 a.m.]

[Project No. 2271]

## TUOLUMNE COUNTY WATER DISTRICT NO. 2

## Notice of Application for Preliminary Permit

FEBRUARY 2, 1960.

Public notice is hereby given that Tuolumne County Water District No. 2, of Sonora, California, has filed application under the Federal Power Act (16 U.S.C. 791a-825r) for a preliminary permit for proposed water-power Project No. 2271, to be located on Highland Creek and North and Middle Forks of Stanislaus River in Alpine and Tuolumne Counties, California, in the vicinity of Murphys, Sonora, and Columbia, California, affecting lands of the United States within Stanislaus National Forest. The proposed scheme of development would be to divert water from the existing Union Reservoir located on North Fork Stanislaus River by tunnel to Hobart Creek and thence to the existing Spicer Reservoir located on Highland Creek; enlargement of Spicer Reservoir from 3,200 acre-feet to 62,000 acre-feet; water to be diverted by tunnel and penstock to the Spicer powerhouse, to be located 1/4 mile upstream from the Donnells Dam located on Middle Fork Stanislaus River, with the powerhouse having an installation of 24,000 kilowatts; and appurtenant facilities. Union and Spicer Reservoirs are presently under Federal Power Commission license as Project No. 2019 issued to Pacific Gas and Electric Company.

No construction is authorized under a preliminary permit. A permit, if issued, gives the permittee, during the period of the permit, the right to pri-ority of application for license while the permittee undertakes the necessary studies and examinations, including the preparation of maps and plans, in order to determine the economic feasibility of the proposed project, the means of securing the necessary financial arrangements for construction, the market for the project power, and all other information necessary for inclusion in an application for license, should one be filed.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last date upon which protests or petitions may be filed is March 11, 1960. The application is on file with the Commission for public inspection.

> JOSEPH H. GUTRIDE, Secretary.

[F.R. Doc. 60-1229; Filed, Feb. 8, 1960; 8:46 a.m.]

[Docket Nos. G-20004, G-202801

#### WOODLEY PETROLEUM CO.

Order Permitting Superseding Rate Filing, Providing for Hearing on and Suspension of Proposed Change in Rate, and Terminating Proceeding

FEBRUARY 2, 1960.

On January 4, 1960, Woodley Petroleum Company (Woodley), tendered for filing a proposed change in its presently effective rate schedule for the sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Notice of change dated: December 22, 1959. Purchaser: El Paso Natural Gas Co.

Producing Area: Copper Lease, Lea County, N. Mex.

Rate schedule designation: Supplement No. 4 to Woodley's FPC Gas Rate Schedule No. 7.

Effective date: February 4, 1960 (effective date is the first day after expiration of the required thirty-days notice).

Rate in effect: 10.5 cents per Mcf (rate in effect subject to refund in Docket No. G-14186; pressure base is 14.65 psia).

Proposed increased rate: 15.5599 cents per Mcf (pressure base is 14.65 psia).

This filing supersedes two prior proposed increased rates contained in Supplement Nos. 2 and 3 to Woodley's FPC Gas Rate Schedule No. 7. Supplement No. 2, among others, was suspended until April 5, 1960 by Commission order issued October 30, 1959 in Docket No. G-20004, and Supplement No. 3, among others, was suspended until May 13, 1960 by Commission order issued December '9, 1959 in Docket No. G-20280. Because Supplement Nos. 2 and 3 are now being superseded and, therefore, will never become effective, Docket No. G-20280 will henceforth be concerned with Supplement No. 4 to Woodley's FPC Gas Rate Schedule No. 7, and Docket No. G-20004 will be herein terminated.

In support of the proposed renegotiated rate, Woodley states, inter alia, that the increased price will enable the buyer to stablize prices in the Permian Basin area through elimination of the "favored-nations" provisions of gas sales contracts.

The increased rate and charge so proposed may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) Permission should be granted for the filing of Supplement No. 4 to Woodley's FPC Gas Rate Schedule No. 7 to supersede Supplement Nos. 2 and 3 to Woodley's FPC Gas Rate Schedule No. 7.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed increased rate contained in Supplement No. 4 to Woodley's Gas Rate Schedule No. 7 and that such supplement be suspended and the use thereof deferred as hereinafter ordered.

(3) Good cause exists for terminating the proceeding in Docket No. G-20004.

The Commission orders:

(A) Permission is hereby granted for the filing of Supplement No. 4 to Woodley's FPC Gas Rate Schedule No. 7 to supersede Supplement Nos. 2 and 3 to Woodley's FPC Gas Rate Schedule No. 7.

(B) Pursuant to the authority of the Natural Gas Act, particularly Sections 4 and 15 thereof, the Commission's Rules of Practice and Procedure, and the Regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 4 to Woodley's FPC Gas Rate Schedule

(C) Pending such hearing and decision thereon, Supplement No. 4 to Woodley's FPC Gas Rate Schedule No. 7, is hereby suspended and the use thereof deferred until July 4, 1960, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(D) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(E) The proceeding in Docket No. G-20004 is hereby terminated.

(F) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

JOSEPH H. GUTRIDE, Secretary.

[F.R. Doc. 60-1230; Filed, Feb. 8, 1960; 8:47 a.m.]

[Docket No. G-20005]

#### WOODLEY PETROLEUM CO. ET AL.

Order Permitting Superseding Rate Filing, and Providing for Hearing on and Suspension of Proposed Change in Rate

FERRITARY 2, 1960.

Woodley Petroleum Company (Operator) et al. (Woodley) on January 4, 1960, tendered for filing a proposed change in its presently effective rate schedule for the sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Notice of change dated: December 22, 1959. Purchaser: El Paso Natural Gas Co.

Producing area: Andrews Field, Andrews County, Tex.

Rate schedule designation: Supplement No. 2 to Woodley's FPC Gas Rate Schedule No. 10.

Effective date: February 4, 1960 (effective date is the first day after expiration of the required thirty-day notice).

Rate in effect: 8.108 cents per Mcf (pressure base is 14.65 psia).

Proposed increased rate: 13.68225 cents per Mcf (pressure base is 14.65 psia).

This filing supersedes a prior proposed increased rate contained in Supplement No. 1 to Woodley's FPC Gas Rate Schedule No. 10. That Supplement, among others, was suspended until April 5, 1960. by Commission order issued October 30, 1959, in this proceeding. Because Supplement No. 1 is now being superseded by Supplement No. 2 and, therefore, will never become effective, this proceeding will henceforth be concerned with Supplement No. 2 to Woodley's FPC Gas Rate Schedule No. 10.

In support of the proposed renegotiated rate, Woodley states, inter alia, that the increased price will enable the buyer to stabilize prices in the Permian Basin area through elimination of the

"favored-nations" provisions of gas sales contracts.

The increased rate and charge so proposed may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) Permission should be granted for the filing of Supplement No. 2 to Woodley's FPC Gas Rate Schedule No. 10 to supersede Supplement No. 1 to Woodley's FPC Gas Rate Schedule No. 10.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed increased rate contained in Supplement No. 2 to Woodley's FPC Gas Rate Schedule No. 1 and that such supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Permission is hereby granted for the filing of Supplement No. 2 to Woodley's FPC Gas Rate Schedule No. 10 to supersede Supplement No. 1 to Woodley's FPC Gas Rate Schedule No. 10.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 2 to Woodley's FPC Gas Rate Schedule No. 10.

(C) Pending such hearing and decision thereon, Supplement No. 2 to Woodley's FPC Gas Rate Schedule No. 10, is hereby suspended and the use thereof deferred until July 4, 1960 and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(D) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(E) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commision's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

Joseph H. Gutride, Secretary.

[F.R. Doc. 60-1231; Filed, Feb. 8, 1960; 8:47 a.m.]

[Docket No. RI60-101]

# SUNRAY MID-CONTINENT OIL CO. Order Providing for Hearing on and Suspension of Proposed Changes in Rates

FEBRUARY 2, 1960.

January 4, 1960, Sunray Mid-Continent Oil Company (Sunray) tendered for filing proposed changes in its presently effective rate schedule for the sale of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filing:

Description: Notice of Change, Dated December 30, 1959.

Purchaser and producing area: El Paso Natural Gas Company (Jack Herbert Field, Upton County, Tex.).

Rate schedule designation: Supplement No. 8 to Sunray's FPC Gas Rate Schedule No. 103.

Effective date: February 4, 1960 (effective date is the first day after expiration of the required thirty days' notice).

Rate in effect: 13.476 cents per Mcf (rate effective subject to refund in Docket No. G-19090).

Proposed Increased rate: 15.70925 cents per Mcf for high pressure gas; 13.68825 cents per Mcf for low pressure gas (pressure base is 14.65 psia).

In support of the proposed renegotiated rate increases, Sunray states that the prices are in line with current field prices and the market value of gas. Sunray also submits data purporting to show that, per BTU, the price of oil is higher than the prices Sunray proposes for its gas.

The increased rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposals contained in Supplement No. 8 to Sunray's FPC Gas Rate Schedule No. 103 and that such supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate contained in Supplement No. 8 to Sunray's FPC Gas Rate Schedule No. 103.

(B) Pending the hearing and decision thereon, the supplement is hereby suspended and the use thereof deferred until July 4, 1960, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

JOSEPH H. GUTRIDE, Secretary.

[F.R. Doc. 60-1232; Filed, Feb. 8, 1960; 8:47 a.m.]

## DEPARTMENT OF HEALTH, EDU-CATION, AND WELFARE

**Public Health Service** 

#### LICENSED BIOLOGICAL PRODUCTS

Notice is hereby given that pursuant to section 351 of the Public Health Service Act, as amended (42 U.S.C. 262), and regulations issued thereunder (42 CFR Part 73), the following establishment license and product license actions have been taken from October 16, 1959 to January 15, 1960, inclusive.

These lists are supplementary to the lists of licensed establishments and products in effect on April 15, 1959, published on August 7, 1959 in 24 F.R. 6358, as amended by two lists, one of license actions taken from April 16, 1959 through July 15, 1959, published on September 23, 1959 in 24 F.R. 7657, and one of license actions taken from July 16, 1959 through October 15, 1959, published on November 17, 1959 in 24 F.R. 9291.

ESTABLISHMENT LICENSES ISSUED

Establishment	License No.	Date
A/B Kabi, Stockholm, SwedenJames Walker Memorial Hospital	325	10-20-59
Blood Bank, Wilmington, N.C Community Blood and Plasma	326	11-12-59
Service, Inc., Birmingham, Ala., and New York, N.Y The Elizabeth General Hospital and	224	11-23-59
Dispensary, Elizabeth, N.J	327	12-18-59

#### PRODUCT LICENSES ISSUED

Product	Establishment	License No.	Date
Streptokinase Poliomyelitis vac- cine.	A/B Kabi Pfizer Labora- tories, Div. Chas. Pfizer &	325 297	10-20-59 10-23-59
Poliomyelitis im- mune globulin (human).	Co., Inc. Philadelphia Se- rum exchange.	139	11-10-59
Citrated whole blood (human).	James Walker Memorial Hos- pital Blood Bank.	_826	11-12-59
Anti-Rh typing serum, anti-Rho (anti-D).	Community Blood Bank and Serum	295	11-23-59
Single donor plasma (human).	Service. Blood Bank, N.C. Memorial Hospital, University of North Carolina.	314	12- 8-59
Anti-human glob- ulin reagent.	Central Blood Bank of Pitts- burgh.	234	12- 8-59
Reagent blood group specific substances A and B.	Dade Reagents, Inc.	179	<b>12-14-</b> 59
Anti-Kpb Serum (anti-Rauten- berg).	Knickerbocker Blood Bank.	· 164	<b>12</b> –14–59
Citrated whole blood (human).	The Elizabeth General Hos- pital and Dis- pensary.	327	12-18-59

ESTABLISHMENT LICENSES REVOKED WITHOUT PREJUDICE

Establishment	License No.	Date
Cleveland Donor Service, Inc.	287	11-23-59
Cleveland, Ohio	224	11-23-59

PRODUCT LICENSES REVOKED WITHOUT PREJUDICE

Product	Establishment	License No.	Date*
Citrated whole blood (human).	Cleveland Donor Serv- ice, Inc.	287	, 11-23-59

#### Approved:

[SEAL] RODERICK MURRAY,
Director, Division of Biologics
Standards, National Institutes of Health, Public Health
Service, U.S. Department of
Health, Education, and Wel-

#### Approved:

J. STEWART HUNTER, Assistant to the Surgeon General for Information, Public Health Service, U.S. Department of Health, Education and Welfare.

[F.R. Doc. 60-1249; Filed, Feb. 8, 1960; 8:50 a.m.]

# SECURITIES AND EXCHANGE COMMISSION

[File No. 24S-1729]

#### AETNA OIL DEV. CO., INC.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

FEBRUARY 3, 1960.

- I. Aetna Oil Dev. Co., Inc. (issuer) an Arizona corporation, 840 First National Bank Bldg., Phoenix, Arizona, filed with the Commission on January 4, 1960 a notification on Form 1-A and an offering circular under Regulation A relating to a proposed offering of 2,450 five year callable-convertible 4½ percent debentures, par value \$100, at a price of \$112.50 per debenture for an aggregate amount of \$275,625, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) thereof and Regulation A promulgated thereunder.
- II. A. The Commission has reasonable cause to believe that an exemption under Regulation A is unavailable in that:
- 1. The notification on Form 1-A fails to set forth adequate information required by Item 2(b) thereof concerning affiliates of the issuer.
- 2. The notification on Form 1-A fails to furnish exhibits under Item 11, including copies of the debentures, the trust indenture under which such debentures are to be issued, articles of incorporation, by-laws, consents of underwriters, and copies of material leases.
- 3. The offering circular fails to disclose the method by which the debentures are to be offered and the names and addresses of underwriters as required by Item 5 of Schedule I.
- 4. The offering circular fails to disclose the arrangements for the return

of funds to subscribers if all the securities to be offered are not sold, or state that there are no such arrangements, as required by Item 6(b) of Schedule I.

- 5. The offering circular fails to disclose the costs to officers, directors and promoters of the assets transferred by said officers, directors and promoters in exchange for debentures and stock as required by Item 9(c) of Schedule I.
- 6. The offering circular fails to set forth adequate financial statements reflecting the issuer's financial condition as required by Item 11 of Schedule I.
- B. The offering circular contains untrue statements of material facts and omits to state material facts necessary in order to make the statements made, in the light of circumstances in which they are made, not misleading, particularly with respect to:
- 1. The unqualified statements in the offering circular relative to commercial production by nationally known companies from fields allegedly surrounding the issuer's property.
- 2. The unqualified statements in the offering circular with respect to the geological structure of the area, including the issuer's properties and the claim that production can be economically marketed.
- 3. The failure to disclose the distance of the issuer's properties from producing properties and the existence and location of dry holes between producing properties and the issuer's properties.
- 4. The over-statement of the assets in the balance sheet.
- 5. The failure to disclose speculative aspects of the offering.
- 6. Failure to disclose the material terms and conditions of the various leases held by the issuer and the location of said leases.
- 7. The failure to disclose adequately the issuer's relation to United Gas and Oil, Inc., and Monarch Gas Corporation.
- 8. Failure to adequately disclose the terms and conditions of the debentures.
- 9. The failure to disclose that there is no market for the debentures.
- C. The offering would be made in violation of section 17 of the Securities Act of 1933, as amended.

III. It is ordered, Pursuant to Rule 261(a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation be, and it hereby is, temporarily suspended.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing within thirty days herefrom; that within twenty days after receipt of such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place for said hearing will be promptly given by the Commission. If no hearing is requested and none is ordered by the Commission, the order shall become permanent on the thirtieth day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F.R. Doc. 60-1234; Filed, Feb. 8, 1960; 8:47 a.m.]

[File No. 24SF-2659]

## AMERICAN RESERVE LIFE INSURANCE CO.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

FEBRUARY 3, 1960.

- I. American Reserve Life Insurance Company (issuer), an Arizona corporation, 1926 East McDowell Road, Phoenix, Arizona, filed with the Commission on September 11, 1959 a notification on Form 1-A and an offering circular relating to an offering of 300,000 shares of its 35¢ par value common stock at \$1 per share for an aggregate of \$300,000 for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) and Regulation A promulgated thereunder.
- II. The Commission has reasonable cause to believe that:
- A. That the terms and conditions of Regulation A have not been complied with in that:
- 1. The issuer has made offerings of its securities in a jurisdiction not set forth under Item 8(c) of Form 1-A.
- 2. The issuer has failed to file copies of sales material pursuant to rule 258 of the general rules and regulations under the Securities Act of 1933.
- B. The sales literature used by the issuer contains untrue statements of material facts and omits to state material facts necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, particularly with respect to:
- 1. Statements concerning the profits and investment return of stocks of other insurance companies and their relationship to the profits and investment return of the stock of the issuer.
- C. The offer would be made in violation of section 17 of the Securities Act of 1933, as amended.

III. It is ordered, Pursuant to Rule 261(a) of the general rules and regulations under the Securities Act of 1933 as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing within thirty days after the entry of this order; that within twenty days after receipt of such request the Commission will, or at

any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission, for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; that if no hearing is requested and none is ordered by the Commission, this order shall become permanent on the thirtieth day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission; and that notice of the time and place for any hearing will promptly be given by the Commission.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F.R. Doc. 60-1235; Filed, Feb. 8, 1960; 8:47 a.m.]

[File No. 812-1282]

#### **DOMINICK & DOMINICK**

#### Notice of Filing of Application for Order Exempting Transaction Between Affiliates

FEBRUARY 3, 1960.

Notice is hereby given that Dominick & Dominick ("Dominick"), a partnership formed under the laws of the State of New York and which is engaged in the securities and investment banking businesses, has filed an application pursuant to section 17(b) of the Investment Company Act of 1940 (the "Act") for an order exempting from the provisions of section 17(a) of the Act the proposed purchase by Dominick of shares of common stock of U.S. Polymeric Chemicals, Inc. ("Polymeric") from Pallas Corporation ("Pallas") a registered closed-end, non-diversified investment company.

The application contains the following representations:

A group of underwriters, including Dominick which is to be the representative of such group, proposes to purchase from Pallas and eight individuals for immediate distribution by offer for sale to the public a total of 71.090 shares of the outstanding 50 cents par value common stock of Polymeric or approximately 18.1 percent of the outstanding common stock of Polymeric. Polymeric. a New York corporation organized in 1946, is engaged in the business of processing paper, fiber glass and other fibrous materials by impregnating them with a variety of synthetic resins, and, selling such materials. Of the 71,090 shares of Polymeric to be sold, 30,000 shares are now owned and will be sold by Pallas. Gardner D. Stout, a general partner in Dominick, is a member of the board of directors of Pallas.

The price to be paid to the selling stockholders, including Pallas, and the offering price to the public (resulting in the underwriters' spread) are to be negotiated between the underwriters on the one hand, and the sellers on the

other hand, immediately prior to the public offering. The purchase price to be paid by the underwriters, the initial offering price to the public and information as to the names of underwriters other than Dominick and as to the participations of the various underwriters will be supplied by amendment to this application.

Pursuant to the provisions of section 2(a)(3) of the Act Gardner D. Stout is an affiliated person of Pallas and the other partners in Dominick are affiliated persons of an affiliated person of Pallas. Section 17(a) of the Act prohibits an affiliated person of a registered investment company or an affiliated person of an affiliated person of a registered investment company from purchasing from such registered investment company any security or property, subject to certain exceptions not pertinent here, unless the Commission by order upon application pursuant to section 17(b) of the Act grants an order exempting such proposed transaction from the provisions of section 17(a) of the Act, upon a finding that the terms of the proposed transaction, including the consideration to be paid, are reasonable and fair and do not involve overreaching on the part of any person concerned; and that the proposed transaction is consistent with the policy of the investment company concerned, as recited in its registration statement and reports filed under the Act, and is consistent with the general purposes of the Act.

Polymeric has outstanding a \$270,000 principal amount 5 percent note payable to a bank, due 1960-63, 752 shares of \$6 no par value Preferred Stock, and 392.560 shares of common stock with a par value of \$0.50 a share. As of January 1, 1960, a wholly owned unconsolidated foreign subsidiary, had foreign bank loans due through 1963 outstanding in the amount of about \$111,000, of which about \$79,000 has been guaranteed by Polymeric. As of October 31, 1959, the common stock of Polymeric had a book value of \$5.82 a share. The net income of Polymeric applicable to its common stock has ranged from \$18,383 for the year ended December 31, 1954 to \$115,308 for the year ended December 31, 1958. or from \$0.10 a share of common stock for the year 1954 to \$0.34 a share of common stock for the year 1958 (based upon the number of shares outstanding at the end of each such year adjusted to reflect stock splits in August 1956 and April 1959). Net income applicable to Polymeric's common stock for the ten months ended October 31, 1958, was equal to \$1.05 a share of such stock on the basis of unaudited figures.

No dividends have been paid on Poly-

meric common stock.

Prior to and at the time of the commencement in July 1959 of the offering by Polymeric of additional shares of its common stock, Polymeric had about 50 stockholders. In September 1956 and November 1958, Polymeric offered its common stock to its stockholders at \$2 and \$3.67 a share, respectively, adjusted for a 3 to 1 stock split in April 1959. In

July 1959, Polymeric offered 56,080 additional shares of its common stock to its stockholders (about 50 in number) at \$19.50 a share and, concurrently therewith, certain selling stockholders sold to the public 15,000 shares of Polymeric common stock at \$21.50 a share.

The application states that since July 1959, a quoted market for the common stock of Polymeric has existed; but that the market for Polymeric common stock is an "extremely thin one".

The application shows that the market quotations for Polymeric common stock in the over-the-counter market have ranged from a low of 17 bid in July 1959, to a high of 46 bid in December 1959; and from a low of 30 asked in July 1959 to a high of 49 asked in December 1959. On January 19, 1960, the quotation was

bid 37; asked 41.

The application states that Dominick has been informed by Pallas that the latter does not intend to consummate the proposed sale of Polymeric stock if the public offering price of such stockis to be less than \$35 a share.

The application states that among the selling stockholders are three individuals who are members of Polymeric's management and who have no affiliations with Pallas, Dominick or any of the anticipated underwriters; and that the self-interest of such selling stockholders will dictate a fair price to the sellers determined after arms'-length bargaining.

The application also states that the registration statement of Pallas states that one of its investment policies is to diversify investments among a number of industries; that based on recent market quotations, the value of the investment of Pallas in Polymeric represents a very significant portion of the entire portfolio of Pallas; and that consummation of the proposed transaction will enable Pallas to liquidate 35 percent of its total investment in Polymeric stock which is not easily marketable.

Notice is further given that any interested person may, not later than February 16, 1960, at 1:00 p.m., e.s.t., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reasons for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time thereafter, as provided by Rule O-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

By the Commission.

[SEAL] ORVAL L. DUBOIS, Secretary.

[F.R. Doc. 60-1236; Filed, Feb. 8, 1960; 8:47 a.m.]

[File No. 70-3853]

## METROPOLITAN EDISON CO. AND GENERAL PUBLIC UTILITIES CORP.

#### Notice of Proposed Issuance and Sale of Shares of Common Stock to Holding Company

FEBRUARY 2, 1960.

Notice is hereby given that General Public Utilities Corporation ("GPU"), a registered holding company, and Metropolitan Edison Company ("Meted"), one of its public-utility subsidiaries, have filed with this Commission a joint application-declaration, pursuant to the Public Utility Holding Company Act of 1935 ("Act") designating sections 6(a), 6(b), 9(a) and 10 of the Act and Rule 50(a) (3) thereunder as applicable to the proposed transactions which are summarized as follows:

Meted proposes to issue and sell to GPU, and GPU proposes to purchase from Meted, from time to time, but not later than June 30, 1960, not to exceed 53,000 additional shares of Meted Common Stock (without par value) at a price per share of \$100, or an aggregate price of not to exceed \$5,300,000. GPU proposes to obtain the funds with which to make such additional investments in Meted out of cash on hand and derived from operations and the proceeds of a recent Common Stock offering.

Meted proposes to use the proceeds from the sale as follows: (a) \$2,800,000 to reimburse its treasury in part for expenditures made for its construction program prior to January 1, 1960 and (b) \$2,500,000 to pay short-term notes to banks which were outstanding at December 31, 1959.

The fees and expenses of GPU are estimated at \$500, and those of Meted at \$17,750 including legal fees of \$1,500, Pennsylvania Capital Stock excise tax of \$10,600, Federal Original Issue tax of \$5,300, and miscellaneous expenses of \$350.

The application-declaration states that the Pennsylvania Public Utility Commission has jurisdiction over the proposed issue and sale of Common Stock, and that a copy of the order of that Commission authorizing the transactions will be supplied for the record herein by amendment to the application-declaration. It is further stated that no other State and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than February 19, 1960, at 5:30 p.m., request in writing that a hearing be held on the matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any, raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date the application-declaration, as filed or as it may be amended, may be permitted to become effective as provided

in Rule 23 of the rules and regulations promulgated under the Act, or the Commission may grant exemption from its rules as provided in Rules 20(a) and 100, or take such other action as it may deem appropriate.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F.R. Doc. 60-1237; Filed, Feb. 8, 1960; 8:48 a.m.]

[File No. 70-3849]

## PUBLIC SERVICE COMPANY OF OKLAHOMA

## Notice of Proposed Issuance and Sale of Bonds at Competitive Bidding

FEBRUARY 3, 1960.

Notice is hereby given that Public Service Company of Oklahoma ("Oklahoma"), a public-utility subsidiary of Central and South West Corporation, a registered holding company, has filed an application and amendments thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 6(b) of the Act and Rule 50 promulgated thereunder as applicable to the proposed transaction.

All interested persons are referred to said application on file in the Headquarters Office of the Commission for a statement of the proposed transaction which is summarized as follows:

Oklahoma proposes to issue and sell. pursuant to the competitive bidding requirements of Rule 50 promulgated under the Act, \$12,000,000 principal amount of First Mortgage Bonds, Series H, __ percent, to be dated February 1, 1960, and to mature February 1, 1990. The new bonds are to be issued under the Indenture dated July 1, 1945, of Oklahoma to The First National Bank and Trust Company of Tulsa, Trustee, as heretofore amended and as to be further amended by a Supplemental Indenture to be dated as of February 1, 1960. The interest rate on the new bonds (which will be a multiple of 1/8 of 1 percent) and the price, exclusive of accrued interest, to be paid to Oklahoma (which will be not less than 97.25 percent nor more than 102.75 percent of the principal amount thereof) will be determined by the competitive bidding.

The net proceeds from the sale of the new bonds will be used by Oklahoma to finance a part of the cost of additions. extensions, and improvements made and to be made to its electric utility properties, including the payment or prepayment of short-term notes to banks incurred by Oklahoma for that purpose. Said notes aggregated \$6,000,000 at January 8, 1960, and may be increased by an amount not in excess of \$1,000,000 prior to the receipt of the proceeds of the new bonds. The proposed construction expenditures of Oklahoma for the calendar years 1960 and 1961 are estimated at \$25,800,000 and \$26,800,000, respectively.

The application states that the Corporation Commission of the State of Oklahoma has jurisdiction over the issuance and sale of the new bonds and that a copy of the order or certificate of authority of the State commission authorizing or approving the transaction will be supplied by amendment. It is further stated that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction. Information as to fees and expenses incident to the proposed transaction will also be completed by amendment.

Notice is further given that any interested person may, not later than February 15, 1960, at 5:30 p.m., request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said filing which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date, the application, as amended or as it may be further amended, may be granted as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F.R. Doc. 60-1239; Filed, Feb. 8, 1960; 8:48 a.m.]

## DEPARTMENT OF JUSTICE

# Office of Alien Property CORNELIS BAREND REYNIERSE ET AL. Notice of Intention To Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Cornelis Barend Reynierse, Amsterdam, The Netherlands; \$315.00 in the Treasury of the United States.

Cooperatieve Centrale Raiffeisen-Bank, Utrecht, The Netherlands, \$14.20 in the Treasury of the United States.

N.V. Nederlandsch-Amerikaansche, Stoomvaart Maatschappij, "Holland-Amerika Lijn" Rotterdam, The Netherlands; \$27.50 in the Treasury of the United States.

Bank Indonesia (Successor to De Javasche Bank), Djakarta, Indonesia; \$13.20 in the Treasury of the United States.

Vesting Order No. 17742; Claim No. 61890.

Executed at Washington, D.C. on January 29, 1960.

For the Attorney General.

[SEAL]

PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F.R. Doc. 60-1245; Filed, Feb. 8, 1960; 8:49 a.m.]

## DEPARTMENT OF COMMERCE

Federal Maritime Board

MEMBER LINES OF TRANS-ATLAN-TIC PASSENGER STEAMSHIP CON-FERENCE

## Notice of Agreement Filed for Approval

Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 46 U.S.C. 814):

Agreement No. 120-75, between the member lines of the Trans-Atlantic Passenger Steamship Conference, modifies the basic agreement of that conference (No. 120, as amended), with respect to the form of the conference sub-agency appointment agreement, to provide that sub-agency appointments shall be automatically renewed on a year to year basis upon the payment of the annual sub-agency fee and/or unless the appointment is terminated pursuant to other provisions of the conference agreement. The conference agreement presently provides for the appointment of sub-agents on a yearly basis, which appointments terminate not later than April 15th of each year, and require renewal in writing prior to expiration in order to extend

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office Federal Maritime Board, Washington, D.C., and may submit, within 20 days after publication of this notice in the Federal Register, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: February 4, 1960.

the term thereof.

By order of the Federal Maritime Board.

JAMES L. PIMPER, Secretary.

[F.R. Doc. 60-1244; Filed, Feb. 8, 1960; 8:49 a.m.]

# MOORE-McCORMACK LINES, INC. Notice of Application

Notice is hereby given that Moore-McCormack Lines, Inc. has applied for the privilege to serve ports on Trade Route No. 8 (Belgium/Netherlands) and ports in the London/Southampton range on Trade Route No. 5 with cargo vessels operating on its subsidized service be-

tween U.S. Atlantic ports and ports in Scandinavian and Baltic areas.

Any person, firm or corporation having any interest in such application and desiring a hearing on issues pertinent to section 605(c) of the Merchant Marine Act, 1936, as amended, 46 U.S.C. 1175, should by the close of business on February 29, 1960, notify the Secretary, Federal Maritime Board in writing in triplicate, and file petition for leave to intervene in accordance with the Rules of Practice and Procedure of the Federal Maritime Board.

If no request for hearing and petition for leave to intervene is received within the specified time, or if the Federal Maritime Board determines that petitions to intervene filed within the specified time do not demonstrate sufficient interest to warrant a hearing, the Federal Maritime Board will take such action as may be deemed appropriate.

Dated: February 5, 1960.

By order of the Federal Maritime Board.

James L. Pimper, Secretary.

[F.R. Doc. 60-1291; Filed, Feb. 8, 1960; 8:53 a.m.]

## Office of the Secretary HOWARD C. HOLMES

## Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the Federal Register.

A. Deletions: No change. B. Additions: No change.

This statement is made as of January 29, 1960.

HOWARD C. HOLMES.

JANUARY 29, 1960.

[F.R. Doc. 60-1250; Filed, Feb. 8, 1960; 8:50 a.m.]

# INTERSTATE COMMERCE COMMISSION

[Sec. 5a Application 74]

# WESTERN CARRIERS TARIFF BUREAU Approval of Agreement

FEBRUARY 4, 1960.

The Commission is in receipt of the above-entitled and numbered application for approval of an agreement under the provisions of section 5a of the Interstate Commerce Act.

Filed: January 28, 1960, by Frank Loughran, Suite 1620, Russ Building, San Francisco 4, Calif.

Agreement involved: Agreement between and among common carriers by motor vehicle, members of Western Car-

riers Tariff Bureau, relating to the publication of joint rate tariffs, rules, and regulations governing the transportation of property between points in the United States.

The complete application may be inspected at the office of the Commission in Washington, D.C.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 20 days from the date of this notice. As provided by the general rules of practice of the Commission, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, Division 2.

[SEAL]

HAROLD D. McCoy, Secretary.

[F.R. Doc. 60-1242; Filed, Feb. 8, 1960; 8:48 a.m.]

## FOURTH SECTION APPLICATIONS FOR RELIEF

FEBRUARY 4, 1960.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

#### LONG-AND-SHORT HAUL

FSA No. 35995: Iron and steel—Chicago, Ill., to Evansville, Ind. Filed by Traffic Executive Association-Eastern Railroads, Agent (CTR No. 2425), for interested rail carriers. Rates on iron and steel articles, in carloads, as described in the application, from Chicago, Ill., and points grouped therewith, as described in the application, to Evansville, Ind.

Grounds for relief: Barge competition. Tariff: Supplement 288 to Traffic Exexcutive Association-Eastern Railroads, Agent, tariff I.C.C. 3388 (Hinsch series).

FSA No. 35996: Substituted service—PRR, et al., for Associated Transport, Inc., et al. Filed by Middle Atlantic Conference, Agent (No. 19), for interested carriers. Rates on property loaded in highway trailers and transported on railroad flat cars between Kearny, N.J., and Philadelphia, Pa., on the one hand, and Bristol, Va.—Tenn., and Roanoke, Va., on the other, on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 1 to Middle Atlantic Conference, Agent, tariff I.C.C. 10, MF-I.C.C. A-983.

FSA No. 35997: Substituted service— C&O Ry., for Midwest Haulers, Inc. Filed by Midwest Haulers, Inc. (No. 20), for interested carriers. Rates on property loaded in trailers and transported on railroad flat cars between Chicago, Ill., and Buffalo, N.Y., on traffic originating at or destined to points in the territories described in the application. Grounds for relief: Motor-truck com-

Grounds for relief: Motor-truck competition.
Tariff: Midwest Haulers, Inc., tariff

MF-I.C.C. 22. FSA No. 35998: Substituted service— PRR for Midwest Haulers, Inc. Filed

by Midwest Haulers, Inc. (No. 21), for interested carriers. Rates on property loaded in trailers and transported on railroad flat cars between Chicago, Ill., on the one hand, and Toledo, Ohio, Indianapolis and Ft. Wayne, Ind., and Louisville, Ky., on the other, also between East St. Louis, Ill., on the one hand, and Columbus, Ohio, and Ft. Wayne, Ind., on the other.

Grounds for relief: Motor-truck com-

Tariff: Midwest Haulers, Inc., tariff MF-I.C.C. 22.

By the Commission.

[SEAL] HAROLD D. McCoy, Secretary.

[F.R. Doc. 60-1243; Filed, Feb. 8; 1960; 8:49 a.m.]

### CUMULATIVE CODIFICATION GUIDE-FEBRUARY

A numerical list of parts of the Code of Federal Regulations affected by documents published to date during February. Proposed rules, as opposed to final actions, are identified as such.

3 CFR	14 CFR—Continued	32 CFR
Proclamations:	Proposed rules:	7654
1844 917	507 879 ]	1101 866
2306 917	600 879, 880, 914	32A CFR
33321001	601 880, 914, 915	
Executive orders:	602 1054	HHFA (Ch. XVII):
10758 (revocation) 1089	608 1054, 1136	CR 11076
10777 1089	•	CR 21076
10823 1089	15 CFR	CR 3 1076
10859 1089	371 951	33 CFR
10860 1089	399 953	203961
	16 CFR	
5 CFR		36 CFR
6 853, 854, 899, 1001	13 863, 948, 1006, 1007, 1072, 1073	311 904
Proposed rules:	19 CFR	38 CFR
89 875	1	
6 CFR	8864, 1017	1 870
*	1017	3961
371853	12 1017	6 1126
421 900, 1092, 1093	18 1017	8 1136
4771001	32 1017	39 CFR
4851072	20 CFR	17 905
502 900	210 864	21
7 CFR	214864	24905
301945	216864	43 905
319895	2171073	46905
719 1065	2221073	48905
725947		49905
728897	237 1073	100—176 1095
729897	21 CFR	· · · · · · · · · · · · · · · · · · ·
900835	9903	
914899, 1070	15 903	43 CFR
927947	19 1016	115 1092
9331070, 1071	121 865, 866, 1074	Proposed rules:
9531071	141c903	160914
1002835	146b1074	161 914
1009845	146c903	Public land orders:
Proposed rules:	Proposed rules:	1711 1076
28 871	29990	2048951
7301077	1201078	2049 1076
815 987	121880, 916	
900—10701127, 1132		45 CFR
904 872	25 CFR	12 908
906977	Proposed rules:	13 908
947 977	221 976	14 909
949 977		301 963
990 872	26 (1954) CFR	46 CFR
996 872	1 955, 956	2061017
999 872	301958	221871
1019 872	Proposed rules:	Proposed rules:
	1963	201—380 1052
10 CFR	46964	
50 1072	211 1017	47 CFR
Proposed rules:	212 1037	3 909
20 990	213 1043	12 913
14 CFR	29 CFR	Proposed rules:
	1 -	31055) 1056
263900	21075	10 1078
297 901	402 1075	49 CFR
415901	Proposed rules:	t e e e e e e e e e e e e e e e e e e e
507854, 902, 1093	405 1053	172 914
854-861	31 CFR	192 1008
601 857-862, 1093, 1094		193 1008
602 862, 863, 1094	405 1007	301 914
		•